



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

wanted THU 4/4 - AM

LRBb2900/2

JTK:cs:pg

T
Stays

SCC:.....Engel - CN5523, Department of Electronic Government abolished;
use of consultants restricted

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 5, line 4: after that line insert:

3 "SECTION 7m. 13.101 (14) of the statutes, as affected by 2001 Wisconsin Act 16,
4 is amended to read:

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

9 2. Page 8, line 2: after that line insert:

1 **“SECTION 9m.** 13.58 (5) (a) 5. of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 13.58 (5) (a) 5. Upon receipt of strategic plans from the department of ~~electronic~~
4 government administration, the joint committee on legislative organization and the
5 director of state courts, review and transmit comments concerning the plans to the
6 entities submitting the plans.

7 **SECTION 9n.** 13.58 (5) (b) 4. (intro.) of the statutes, as affected by 2001
8 Wisconsin Act 16, is amended to read:

9 13.58 (5) (b) 4. (intro.) With the concurrence of the joint committee on finance,
10 direct the department of ~~electronic government~~ administration to report
11 semiannually to the committee and the joint committee on finance concerning any
12 specific information technology system project which is being designed, developed,
13 tested or implemented and which the committees anticipate will have a total cost to
14 the state exceeding \$1,000,000 in the current or any succeeding fiscal biennium. The
15 report shall include all of the following:”.

16 **3.** Page 8, line 8: after that line insert:

17 **“SECTION 10m.** 13.90 (6) of the statutes, as affected by 2001 Wisconsin Act 16,
18 is amended to read:

19 13.90 (6) The joint committee on legislative organization shall adopt, revise
20 biennially and submit to the cochairpersons of the joint committee on information
21 policy and technology, the governor and the ~~chief information officer~~ administrator
22 of the division of electronic government in the department of administration, no later
23 than September 15 of each even-numbered year, a strategic plan for the utilization
24 of information technology to carry out the functions of the legislature and legislative

1 service agencies, as defined in s. 16.70 (6). The plan shall address the business needs
2 of the legislature and legislative service agencies and shall identify all resources
3 relating to information technology which the legislature and legislative service
4 agencies desire to acquire, contingent upon funding availability, the priority for such
5 acquisitions and the justification for such acquisitions. The plan shall also identify
6 any changes in the functioning of the legislature and legislative service agencies
7 under the plan.

8 **SECTION 10p.** 13.93 (2) (h) of the statutes, as affected by 2001 Wisconsin Act
9 16, is amended to read:

10 13.93 (2) (h) Approve specifications and scheduling for computer databases
11 containing the Wisconsin statutes and for the printing of the Wisconsin statutes as
12 prescribed in ss. ~~22.03~~ 16.971 (6) and 35.56 (5).

13 **SECTION 11m.** 14.20 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
14 16, is amended to read:

15 14.20 (1) (a) "Local governmental unit" has the meaning given in s. ~~22.01~~ 16.97
16 (7).".

17 **4.** Page 8, line 21: after that line insert:

18 **"SECTION 13m.** 15.07 (2) (L) of the statutes, as created by 2001 Wisconsin Act
19 16, is amended to read:

20 15.07 (2) (L) The governor shall serve as chairperson of the information
21 technology management board and the ~~chief information officer~~ administrator of the
22 division of electronic government in the department of administration shall serve as
23 secretary of that board.

24 **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.”.

5. Page 10, line 6: after that line insert:

"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.".

6. Page 10, line 8: after that line insert:

"SECTION 14g. 15.21 of the statutes, as created by 2001 Wisconsin Act 16, is repealed. (title)"

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

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~~

1 administrator of the division of electronic government in the department of
2 administration.”.

3 **7.** Page 11, line 2: after that line insert:

4 “**SECTION 17m.** 16.43 of the statutes, as affected by 2001 Wisconsin Act 16, is
5 amended to read:

6 **16.43 Budget compiled.** The secretary shall compile and submit to the
7 governor or the governor-elect and to each person elected to serve in the legislature
8 during the next biennium, not later than November 20 of each even-numbered year,
9 a compilation giving all of the data required by s. 16.46 to be included in the state
10 budget report, except the recommendations of the governor and the explanation
11 thereof. The secretary shall not include in the compilation any provision for the
12 development or implementation of an information technology development project
13 for an executive branch agency that is not consistent with the strategic plan of the
14 agency, as approved under s. ~~22.13~~ **16.976.”.**

15 **8.** Page 11, line 9: after that line insert:

16 “**SECTION 20n.** 16.61 (2) (af) of the statutes, as affected by 2001 Wisconsin Act
17 16, is amended to read:

18 16.61 (2) (af) “Form” has the meaning specified in s. ~~22.01~~ **16.97** (5p).

19 **SECTION 20p.** 16.61 (3n) of the statutes, as affected by 2001 Wisconsin Act 16,
20 is amended to read:

21 **16.61 (3n) EXEMPT FORMS.** The board may not receive or investigate complaints
22 about the forms specified in s. ~~22.03~~ **16.971** (2m).

23 **SECTION 20q.** 16.70 (4m) of the statutes, as created by 2001 Wisconsin Act 16,
24 is amended to read:

1 16.70 (4m) "Information technology" has the meaning given in s. ~~22.01~~ 16.97
2 (6).

3 **SECTION 20r.** 16.70 (15) of the statutes, as created by 2001 Wisconsin Act 16,
4 is amended to read:

5 16.70 (15) "Telecommunications" has the meaning given in s. ~~22.01~~ 16.97 (10).

6 **SECTION 20s.** 16.71 (1m) of the statutes, as created by 2001 Wisconsin Act 16,
7 is amended to read:

8 16.71 (1m) The department shall not enter into any contract for contractual
9 services to be provided to the division of electronic government if the services to be
10 provided under the contract have been provided or could be provided by state
11 employees. The department shall not delegate to any executive branch agency, other

12 than the board of regents of the University of Wisconsin System, the authority to
13 enter into any contract for materials, supplies, equipment, or contractual services
14 relating to information technology or telecommunications prior to review and
15 approval of the contract by the ~~chief information officer~~ administrator of the division
16 of electronic government. No executive branch agency, other than the board of
17 regents of the University of Wisconsin System, may enter into any such contract
18 without review and approval of the contract by the ~~chief information officer~~
19 administrator of the division of electronic government. The administrator shall not

20 approve any contract for contractual services to be provided to an agency if the
21 department would be precluded from entering into that contract under this
22 subsection. ✓

23 **SECTION 20sd.** 16.71 (2m) of the statutes, as created by 2001 Wisconsin Act 16,
24 is repealed.

1 **SECTION 20sp.** 16.71 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 16.71 (4) ~~With the approval of the department of electronic government, the~~
4 The department of administration shall delegate authority to the technology for
5 educational achievement in Wisconsin board to make purchases of educational
6 technology equipment for use by school districts, cooperative educational service
7 agencies and public educational institutions in this state, upon request of the board.

8 **SECTION 20t.** 16.72 (2) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
9 is amended to read:

10 16.72 (2) (a) The department of ~~administration~~ shall prepare standard
11 specifications, as far as possible, for all state purchases. By "standard specifications"
12 is meant a specification, either chemical or physical or both, prepared to describe in
13 detail the article which the state desires to purchase, and trade names shall not be
14 used. On the formulation, adoption and modification of any standard specifications,
15 the department of administration shall also seek and be accorded without cost, the
16 assistance, advice and cooperation of other agencies and officers. Each specification
17 adopted for any commodity shall, insofar as possible, satisfy the requirements of any
18 and all agencies which use it in common. Any specifications for the purchase of
19 materials, supplies, equipment, or contractual services for information technology
20 or telecommunications purposes are subject to the approval of the ~~chief information~~
21 officer administrator of the division of electronic government.

22 **SECTION 20tf.** 16.72 (2) (b) of the statutes, as affected by 2001 Wisconsin Act
23 16, is amended to read:

24 16.72 (2) (b) Except as provided in ~~par. (a)~~ and ss. 16.25 (4) (b), 16.751 and
25 565.25 (2) (a) 4., the department shall prepare or review specifications for all

1 materials, supplies, equipment, other permanent personal property and contractual
2 services not purchased under standard specifications. Such “nonstandard
3 specifications” may be generic or performance specifications, or both, prepared to
4 describe in detail the article which the state desires to purchase either by its physical
5 properties or programmatic utility. When appropriate for such nonstandard items
6 or services, trade names may be used to identify what the state requires, but
7 wherever possible 2 or more trade names shall be designated and the trade name of
8 any Wisconsin producer, distributor or supplier shall appear first.

9 **SECTION 20tm.** 16.72 (4) (a) of the statutes, as affected by 2001 Wisconsin Act
10 16, is amended to read:

11 16.72 (4) (a) Except as provided in ~~ss. 16.71 and s.~~ 16.74 or as otherwise
12 provided in this subchapter and the rules promulgated under s. 16.74 and this
13 subchapter, all supplies, materials, equipment and contractual services shall be
14 purchased for and furnished to any agency only upon requisition to the department.
15 The department shall prescribe the form, contents, number and disposition of
16 requisitions and shall promulgate rules as to time and manner of submitting such
17 requisitions for processing. No agency or officer may engage any person to perform
18 contractual services without the specific prior approval of the department for each
19 such engagement. Purchases of supplies, materials, equipment or contractual
20 services by the department of electronic government, the legislature, the courts or
21 legislative service or judicial branch agencies do not require approval under this
22 paragraph.

23 **SECTION 20ts.** 16.75 (3t) (a) of the statutes, as affected by 2001 Wisconsin Act
24 16, is amended to read:

1 16.75 (3t) (a) In this subsection, "form" has the meaning given under s. ~~22.01~~
2 16.97 (5p).

3 **SECTION 20u.** 16.75 (6) (am) of the statutes, as affected by 2001 Wisconsin Act
4 16, is amended to read:

5 16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the
6 ~~department~~ division of electronic government. Annually not later than October 1,
7 the ~~department~~ division of electronic government shall report to the ~~department~~ of
8 ~~administration~~ secretary, in the form specified by the secretary, concerning all
9 procurements by the ~~department of electronic government~~ division during the
10 preceding fiscal year that were not made in accordance with the requirements of
11 subs. (1) and (3t).

12 **SECTION 20uc.** 16.752 (12) (i) of the statutes, as affected by 2001 Wisconsin Act
13 16, is amended to read:

14 16.752 (12) (i) Paragraph (a) does not apply to procurements by the ~~department~~
15 division of electronic government.

16 **SECTION 20uL.** 16.78 of the statutes, as affected by 2001 Wisconsin Act 16, is
17 amended to read:

18 **16.78 Purchases from ~~department~~ division of electronic government.**

19 (1) Every agency other than the board of regents of the University of Wisconsin
20 System ~~and~~ ~~or~~ or an agency making purchases under s. 16.74 shall make all
21 purchases of materials, supplies, equipment, and contractual services relating to
22 information technology or telecommunications from the ~~department~~ division of
23 electronic government, unless the ~~department~~ division of electronic government
24 requires the agency to purchase the materials, supplies, equipment, or contractual
25 services pursuant to a master contract established under s. ~~22.05~~ (2) (h), or grants

16.972

1 written authorization to the agency to procure the materials, supplies, equipment,
2 or contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies,
3 equipment, or contractual services from another agency or to provide the materials,
4 supplies, equipment, or contractual services to itself. The board of regents of the
5 University of Wisconsin System may make purchases of materials, supplies,
6 equipment, and contractual services relating to information technology or
7 telecommunications from the ~~department~~ division of electronic government.

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

11 **SECTION 23c.** Subchapter VII (title) of chapter 16 [precedes s. 16.97] of the
12 statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

13 **CHAPTER 16**

14 **SUBCHAPTER VII**

15 **EDUCATIONAL TECHNOLOGY**

16 **ELECTRONIC GOVERNMENT**

17 **SECTION 23d.** 16.97 of the statutes, as affected by 2001 Wisconsin Act 16, is
18 repealed and recreated to read:

19 **16.97 Definitions.** In this subchapter:

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

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

22 **SECTION 23f.** 16.974 (intro.) of the statutes, as affected by 2001 Wisconsin Act
23 16, is repealed.

24 **SECTION 23g.** 16.974 (1) to (4) of the statutes, as affected by 2001 Wisconsin Act
25 16, are renumbered 16.971 (13) to (16).

1 **SECTION 23h.** 19.36 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 19.36 (4) **COMPUTER PROGRAMS AND DATA.** A computer program, as defined in s.
4 **22.03 16.971** (4) (c), is not subject to examination or copying under s. 19.35 (1), but
5 the material used as input for a computer program or the material produced as a
6 product of the computer program is subject to the right of examination and copying,
7 except as otherwise provided in s. 19.35 or this section.”.

8 **9.** Page 12, line 15: after that line insert:

9 “(1) **SUPERVISION AND MANAGEMENT; LAND INFORMATION**

10 **BOARD.**

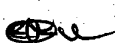
11 (is) Information technology and tele-
12 communications services; non-

13 state entities

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A

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12,666,600
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14 (it) Electric communications ser-

15 vices; nonstate entities

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16 (kg) Electronic communications ser-

17 vices; state agencies

PR-S

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18 (kL) Printing, mail processing, and
19 information technology process-

20 ing services to agencies

PR-S

A

-0-

72,235,000
✓ 

21 (kr) Information technology develop-

22 ment and management services

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-0-”.

23 **10.** Page 13, line 13: after that line insert:

1 “SECTION 30e. 20.225 (1) (kb) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 20.225 (1) (kb) *Emergency weather warning system operation.* From the
4 moneys received by the department of ~~electronic government~~ administration for the
5 provision of state telecommunications to state agencies, the amounts in the schedule
6 for the operation of the emergency weather warning system under s. 39.11 (21).”.

7 **11.** Page 14, line 6: after that line insert:

8 “SECTION 32d. 20.275 (1) (s) of the statutes, as affected by 2001 Wisconsin Act
9 16, is amended to read:

10 20.275 (1) (s) *Telecommunications access; school districts; grant.* Biennially,
11 from the universal service fund, the amounts in the schedule to make payments to
12 telecommunications providers under contracts with the department of
13 administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are
14 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is); prior to January 1,
15 2006, to make grants to school districts under s. 44.73 (6); and, in the 1999–2000
16 fiscal year, to award a grant to the distance learning network under 1999 Wisconsin
17 Act 9, section 9148 (4w).

18 **SECTION 32f.** 20.275 (1) (t) of the statutes, as affected by 2001 Wisconsin Act
19 16, is amended to read:

20 20.275 (1) (t) *Telecommunications access; private and technical colleges and*
21 *libraries.* Biennially, from the universal service fund, the amounts in the schedule
22 to make payments to telecommunications providers under contracts with the
23 department of administration under s. ~~16.974 (2)~~ 16.971 (14) to the extent that the
24 amounts due are not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is).

1 **SECTION 32h.** 20.275 (1) (tm) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 20.275 (1) (tm) *Telecommunications access; private schools.* Biennially, from
4 the universal service fund, the amounts in the schedule to make payments to
5 telecommunications providers under contracts with the department of
6 administration under s. ~~16.974 (3)~~ 16.971 (15) to the extent that the amounts due are
7 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is) and, prior to January
8 1, 2006, to make grants to private schools under s. 44.73 (6).

9 **SECTION 32j.** 20.275 (1) (tu) of the statutes, as affected by 2001 Wisconsin Act
10 16, is amended to read:

11 20.275 (1) (tu) *Telecommunications access; state schools.* Biennially, from the
12 universal service fund, the amounts in the schedule to make payments to
13 telecommunications providers under contracts with the department of
14 administration under s. ~~16.974 (4)~~ 16.971 (16) to the extent that the amounts due are
15 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (kL).

16 **SECTION 32L.** 20.275 (1) (tw) of the statutes, as created by 2001 Wisconsin Act
17 16, is amended to read:

18 20.275 (1) (tw) *Telecommunications access; secured correctional facilities.*
19 Biennially, from the universal service fund, the amounts in the schedule to make
20 payments to telecommunications providers under contracts with the department of
21 administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are
22 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (ke).".

23 **12.** Page 17, line 24: after that line insert:

1 **“SECTION 44b.** 20.505 (1) (im) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the
4 schedule to provide services and to repurchase inventory items that are provided
5 primarily to purchasers other than state agencies and to transfer to the
6 appropriation account under par. (kc) the amounts received from school districts
7 under s. 16.85 (15). All moneys received from the sale of services, other than services
8 provided under par. (is), and inventory items which are provided primarily to
9 purchasers other than state agencies shall be credited to this appropriation account.

10 **SECTION 44bd.** 20.505 (1) (is) of the statutes is created to read:

11 20.505 (1) (is) *Information technology and telecommunications services;*
12 *nonstate entities.* From the sources specified in ss. 16.972 (2) (b) and (c), 16.974 (2),
13 and 44.73 (2) (d), to provide computer services, telecommunications services, and
14 supercomputer services to state authorities, units of the federal government, local
15 governmental units, and entities in the private sector, the amounts in the schedule.

16 **SECTION 44bL.** 20.505 (1) (it) of the statutes is created to read:

17 20.505 (1) (it) *Electronic communications services; nonstate entities.* From the
18 source specified in s. 16.974 (3), to provide electronic communications services to
19 state authorities, units of the federal government, local governmental units, and
20 entities in the private sector, the amounts in the schedule.

21 **SECTION 44bp.** 20.505 (1) (kg) of the statutes is created to read:

22 20.505 (1) (kg) *Electronic communications services; state agencies.* From the
23 source specified in s. 16.974 (3), to provide electronic communications services to
24 state agencies, the amounts in the schedule.

25 **SECTION 44c.** 20.505 (1) (kL) of the statutes is created to read:

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

5 **SECTION 44ce.** 20.505 (1) (kr) of the statutes is created to read:

6 20.505 (1) (kr) *Information technology development and management services.*
7 From the source specified in s. 16.971 (11), to provide information technology
8 development and management services to executive branch agencies under s.
9 16.971, the amounts in the schedule.”

10 **13.** Page 19, line 8: after that line insert:

11 “**SECTION 50m.** 20.505 (6) (j) 12. of the statutes, as affected by 2001 Wisconsin
12 Act 16, is amended to read:

13 20.505 (6) (j) 12. The amount transferred to s. 20.530 (20.505) (1) (kq) shall be
14 the amount in the schedule under s. 20.530 (20.505) (1) (kq).”

15 **14.** Page 19, line 20: after that line insert:

16 “**SECTION 52h.** 20.530 (intro.) of the statutes, as created by 2001 Wisconsin Act
17 16, is repealed.

18 **SECTION 52i.** 20.530 (1) (title) of the statutes, as created by 2001 Wisconsin Act
19 16, is repealed.

20 **SECTION 52j.** 20.530 (1) (g) of the statutes, as created by 2001 Wisconsin Act
21 16, is repealed.

22 **SECTION 52k.** 20.530 (1) (ir) of the statutes, as affected by 2001 Wisconsin Act
23 16, is renumbered 20.505 (1) (ir).

1 **SECTION 52L.** 20.530 (1) (ja) of the statutes, as affected by 2001 Wisconsin Act
2 16, is renumbered 20.505 (1) (ja).

3 **SECTION 52Lb.** 20.530 (1) (ke) of the statutes, as affected by 2001 Wisconsin
4 Act 16, is renumbered 20.505 (1) (ke) and amended to read:

5 20.505 (1) (ke) *Telecommunications services; state agencies; veterans services.*
6 The amounts in the schedule to provide telecommunications services to state
7 agencies and to provide veterans services under s. ~~22.07~~ 16.973 (9). All moneys
8 received from the provision of telecommunications services to state agencies under
9 ss. ~~22.05 and 22.07~~ 16.972 and 16.973 or under s. 44.73 (2) (d), other than moneys
10 received and disbursed under par. (kL) and s. 20.225 (1) (kb), shall be credited to this
11 appropriation account.

12 **SECTION 52Lc.** 20.530 (1) (kp) of the statutes, as affected by 2001 Wisconsin
13 Act 16, is renumbered 20.505 (1) (kp) and amended to read:

14 20.505 (1) (kp) *Interagency assistance; justice information systems.* The
15 amounts in the schedule for the development and operation of automated justice
16 information systems under s. ~~22.03~~ 16.971 (9). All moneys transferred from the
17 appropriation accounts under s. ~~20.505 sub.~~ (6) (kt) and (m) shall be credited to this
18 appropriation account.

19 **SECTION 52Ld.** 20.530 (1) (kq) of the statutes, as affected by 2001 Wisconsin
20 Act 16, is renumbered 20.505 (1) (kq) and amended to read:

21 20.505 (1) (kq) *Justice information systems development, operation and*
22 *maintenance.* The amounts in the schedule for the purpose of developing, operating
23 and maintaining automated justice information systems under s. ~~22.03~~ 16.971 (9).
24 All moneys transferred from the appropriation account under s. ~~20.505 sub.~~ (6) (j) 12.
25 shall be credited to this appropriation account.

1 **SECTION 52Ldb.** 20.530 (1) (m) of the statutes, as created by 2001 Wisconsin
2 Act 16, is repealed.”.

3 **15.** Page 24, line 4: after that line insert:

4 **“SECTION 69m.** 20.923 (4) (h) 2. of the statutes, as created by 2001 Wisconsin
5 Act 16, is repealed.”.

6 **16.** Page 25, line 15: after that line insert:

7 **“SECTION 72fb.** Chapter 22 (title) of the statutes, as created by 2001 Wisconsin
8 Act 16, is repealed.

9 **SECTION 72fbm.** 22.01 (intro.) of the statutes is repealed.

10 **SECTION 72fc.** 22.01 (1), (2), (2m), (3) and (4) of the statutes, as affected by 2001
11 Wisconsin Act 16, are renumbered 16.97 (1m), (2), (2m), (3) and (4).

12 **SECTION 72fd.** 22.01 (5) of the statutes, as created by 2001 Wisconsin Act 16,
13 is repealed.

14 **SECTION 72fe.** 22.01 (5m) to (10) of the statutes, as affected by 2001 Wisconsin
15 Act 16, are renumbered 16.97 (5m) to (10).

16 **SECTION 72ff.** 22.03 (title) of the statutes, as affected by 2001 Wisconsin Act
17 16, is renumbered 16.971 (title) and amended to read:

18 **16.971 (title) Responsibilities of department division.**

19 **SECTION 72fg.** 22.03 (2) (intro.), (a) and (ae) of the statutes, as affected by 2001
20 Wisconsin Act 16, are renumbered 16.971 (2) (intro.), (a) and (ae) and amended to
21 read:

22 **16.971 (2) (intro.)** The department division shall:

23 (a) Ensure that an adequate level of information technology services is made
24 available to all agencies by providing systems analysis and application programming

1 services to augment agency resources, as requested. The ~~department~~ division shall
2 also ensure that executive branch agencies, other than the board of regents of the
3 University of Wisconsin System, make effective and efficient use of the information
4 technology resources of the state. The ~~department~~ division shall, in cooperation with
5 agencies, establish policies, procedures and planning processes, for the
6 administration of information technology services, which executive branch agencies
7 shall follow. The policies, procedures and processes shall address the needs of
8 agencies, other than the board of regents of the University of Wisconsin System, to
9 carry out their functions. The ~~department~~ division shall monitor adherence to these
10 policies, procedures and processes.

11 (ae) Except as provided in sub. (2m), review and approve, modify or reject all
12 forms approved by a records and forms officer for jurisdiction, authority,
13 standardization of design and nonduplication of existing forms. Unless the
14 ~~department~~ division rejects for cause or modifies the form within 20 working days
15 after receipt, it is considered approved. The ~~department's~~ division's rejection of any
16 form is appealable to the public records board. If the head of an agency certifies to
17 the ~~department~~ division that the form is needed on a temporary basis, approval by
18 the ~~department~~ division is not required.

19 **SECTION 72fh.** 22.03 (2) (am) to (k) of the statutes, as affected by 2001
20 Wisconsin Act 16, are renumbered 16.971 (2) (am) to (k).

21 **SECTION 72fi.** 22.03 (2) (L) to (m) of the statutes, as affected by 2001 Wisconsin
22 Act 16, are renumbered 16.971 (2) (L) to (m) and amended to read:

23 16.971 (2) (L) Require each executive branch agency, other than the board of
24 regents of the University of Wisconsin System, to adopt and submit to the
25 ~~department~~ division, in a form specified by the ~~department~~ division, no later than

1 March 1 of each year, a strategic plan for the utilization of information technology
2 to carry out the functions of the agency in the succeeding fiscal year for review and
3 approval under s. ~~22.13~~ 16.976.

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

13 (m) Assist in coordination and integration of the plans of executive branch
14 agencies relating to information technology approved under par. (L) and, using these
15 plans and the statewide long-range telecommunications plan under s. ~~22.41~~ 16.979
16 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the
17 use and application of information technology. The ~~department~~ division shall, no
18 later than September 15 of each even-numbered year, submit the statewide strategic
19 plan to the cochairpersons of the joint committee on information policy and
20 technology and the governor.

21 **SECTION 72fj.** 22.03 (2) (n) of the statutes, as affected by 2001 Wisconsin Act
22 16, is renumbered 16.971 (2) (n).

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

1 16.971 (2m) (intro.) The following forms are not subject to review or approval
2 by the department division:

3 **SECTION 72fL.** 22.03 (2m) (a) to (h) of the statutes, as affected by 2001
4 Wisconsin Act 16, are renumbered 16.971 (2m) (a) to (h).

5 **SECTION 72fm.** 22.03 (3) and (4) (a) of the statutes, as affected by 2001
6 Wisconsin Act 16, are renumbered 16.971 (3) and (4) (a) and amended to read:

7 16.971 (3) (a) The ~~chief information officer~~ administrator shall notify the joint
8 committee on finance in writing of the proposed acquisition of any information
9 technology resource that the department division considers major or that is likely to
10 result in a substantive change of service, and that was not considered in the regular
11 budgeting process and is to be financed from general purpose revenues or
12 corresponding revenues in a segregated fund. If the cochairpersons of the committee
13 do not notify the ~~chief information officer~~ administrator that the committee has
14 scheduled a meeting for the purpose of reviewing the proposed acquisition within 14
15 working days after the date of the ~~officer's~~ administrator's notification, the
16 ~~department division~~ may approve acquisition of the resource. If, within 14 working
17 days after the date of the ~~officer's~~ administrator's notification, the cochairpersons of
18 the committee notify the ~~officer~~ administrator that the committee has scheduled a
19 meeting for the purpose of reviewing the proposed acquisition, the department
20 division shall not approve acquisition of the resource unless the acquisition is
21 approved by the committee.

22 (b) The ~~chief information officer~~ administrator shall promptly notify the joint
23 committee on finance in writing of the proposed acquisition of any information
24 technology resource that the department division considers major or that is likely to
25 result in a substantive change in service, and that was not considered in the regular

1 budgeting process and is to be financed from program revenues or corresponding
2 revenues from program receipts in a segregated fund.

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

8 **SECTION 72fn.** 22.03 (4) (b) and (c) and (6) of the statutes, as affected by 2001
9 Wisconsin Act 16, are renumbered 16.971 (4) (b) and (c) and (6).

10 **SECTION 72fo.** 22.03 (9) and (11) of the statutes, as affected by 2001 Wisconsin
11 Act 16, are renumbered 16.971 (9) and (11) and amended to read:

12 16.971 (9) In conjunction with the public defender board, the director of state
13 courts, the departments of corrections and justice and district attorneys, the
14 ~~department of electronic government~~ division may maintain, promote and
15 coordinate automated justice information systems that are compatible among
16 counties and the officers and agencies specified in this subsection, using the moneys
17 appropriated under s. ~~20.530~~ 20.505 (1) (ja), (kp) and (kq). The ~~department of~~
18 ~~electronic government~~ division shall annually report to the legislature under s.
19 13.172 (2) concerning the ~~department's~~ division's efforts to improve and increase the
20 efficiency of integration of justice information systems.

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

24 **SECTION 72fp.** 22.05 (title) of the statutes, as affected by 2001 Wisconsin Act
25 16, is renumbered 16.972 (title) and amended to read:

1 **16.972 (title) Powers of the department division.**

2 **SECTION 72fq.** 22.05 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
3 is renumbered 16.972 (1).

4 **SECTION 72fr.** 22.05 (2) (intro.) and (a) to (d) of the statutes, as affected by 2001
5 Wisconsin Act 16, are renumbered 16.972 (2) (intro.) and (a) to (d) and amended to
6 read:

7 **16.972 (2) (intro.)** The ~~department~~ division may:

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

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

1 shall prescribe eligibility requirements for qualified museums and zoos to receive
2 telecommunications services under this paragraph.

3 (c) Provide such supercomputer services to agencies, local governmental units
4 and entities in the private sector as the department division considers to be
5 appropriate and as the department division can efficiently and economically provide.
6 The department division may exercise this power only if in doing so it maintains the
7 services it provides at least at the same levels that it provides prior to exercising this
8 power and it does not increase the rates chargeable to users served prior to exercise
9 of this power as a result of exercising this power. The department division may
10 charge agencies, local governmental units and entities in the private sector for
11 services provided to them under this paragraph in accordance with a methodology
12 determined by the ~~chief information officer~~ administrator.

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

21 **SECTION 72~~frm~~.** 22.05 (2) (e) of the statutes, as affected by 2001 Wisconsin Act
22 16, is renumbered 16.972 (2) (e).

23 **SECTION 72~~fs~~.** 22.05 (2) (f) and (g) of the statutes, as affected by 2001 Wisconsin
24 Act 16, are renumbered 16.972 (2) (f) and (g) and amended to read:

1 16.972 (2) (f) Acquire, operate, and maintain any information technology
2 equipment or systems required by the ~~department~~ division to carry out its functions,
3 and provide information technology development and management services related
4 to those information technology systems. The ~~department~~ division may assess
5 executive branch agencies, other than the board of regents of the University of
6 Wisconsin System, for the costs of equipment or systems acquired, operated,
7 maintained, or provided or services provided under this paragraph in accordance
8 with a methodology determined by the ~~chief information officer~~ administrator. The
9 ~~department~~ division may also charge any agency for such costs as a component of any
10 services provided by the ~~department~~ division to the agency.

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

19 **SECTION 72ft.** 22.05 (2) (h) and (i) of the statutes, as created by 2001 Wisconsin
20 Act 16, are renumbered 16.972 (2) (h) and (i).

21 **SECTION 72fu.** 22.07 (intro.), (1) and (2) of the statutes, as affected by 2001
22 Wisconsin Act 16, are renumbered 16.973 (intro.), (1) and (2) and amended to read:

23 **16.973 Duties of the ~~department~~ division.** (intro.) The ~~department~~
24 division shall:

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

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

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

10 **SECTION 72fw.** 22.07 (4) to (8) of the statutes, as affected by 2001 Wisconsin Act
11 16, are renumbered 16.973 (4) to (8) and amended to read:

12 16.973 (4) Ensure responsiveness to the needs of agencies for delivery of
13 high-quality information technology processing services on an efficient and
14 economical basis, while not unduly affecting the privacy of individuals who are the
15 subjects of the information being processed by the ~~department~~ division.

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

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

23 (7) Prescribe and revise as necessary performance measures to ensure
24 financial controls and accountability, optimal personnel utilization, and customer
25 satisfaction for all information technology functions in the executive branch outside

1 of the University of Wisconsin System and annually, no later than March 31, report
2 to the joint committee on information policy and technology and the board
3 concerning the performance measures utilized by the ~~department~~ division and the
4 actual performance of the ~~department~~ division and the executive branch agencies
5 measured against the performance measures then in effect.

6 (8) Offer the opportunity to local governmental units to voluntarily obtain
7 computer or supercomputer services from the ~~department~~ division when those
8 services are provided under s. ~~22.05~~ 16.972 (2) (b) or (c), and to voluntarily
9 participate in any master contract established by the ~~department~~ division under s.
10 ~~22.05~~ 16.972 (2) (h) or in the use of any informational system or device provided by
11 the ~~department~~ division under ~~22.09~~ 16.974 (3).

12 **SECTION 72fx.** 22.07 (9) of the statutes, as created by 2001 Wisconsin Act 16,
13 is renumbered 16.973 (9).

14 **SECTION 72fy.** 22.09 (intro.) and (1) to (3) of the statutes, as created by 2001
15 Wisconsin Act 16, are renumbered 16.974 (intro.) and (1) to (3) and amended to read:

16 **16.974 Powers of the ~~chief information officer~~ administrator.** (intro.)
17 The ~~chief information officer~~ administrator may:

18 (1) Establish and collect assessments and charges for all authorized services
19 provided by the ~~department~~ division, subject to applicable agreements under sub.
20 (2).

21 (2) Subject to s. ~~22.05~~ 16.972 (2) (b), enter into and enforce an agreement with
22 any agency, any authority, any unit of the federal government, any local
23 governmental unit, or any entity in the private sector to provide services authorized
24 to be provided by the ~~department~~ department to that agency, authority, unit, or entity
25 at a cost specified in the agreement.

1 (3) Develop or operate and maintain any system or device facilitating Internet
2 or telephone access to information about programs of agencies, authorities, local
3 governmental units, or entities in the private sector, or otherwise permitting the
4 transaction of business by agencies, authorities, local governmental units, or entities
5 in the private sector by means of electronic communication. The ~~chief information~~
6 ~~officer~~ administrator may assess executive branch agencies, other than the board of
7 regents of the University of Wisconsin System, for the costs of systems or devices that
8 are developed, operated, or maintained under this subsection in accordance with a
9 methodology determined by the ~~officer~~ administrator. The ~~chief information officer~~
10 administrator may also charge any agency, authority, local governmental unit, or
11 entity in the private sector for such costs as a component of any services provided by
12 the ~~department~~ division to that agency, authority, local governmental unit, or entity.

13 **SECTION 72fz.** 22.09 (5) of the statutes, as created by 2001 Wisconsin Act 16,
14 is renumbered 16.974 (5).

15 **SECTION 72fza.** 22.11 of the statutes, as affected by 2001 Wisconsin Act 16, is
16 renumbered 16.975 and amended to read:

17 **16.975 Access to information.** The ~~department~~ division shall withhold from
18 access under s. 19.35 (1) all information submitted to the ~~department~~ division by
19 agencies, authorities, units of the federal government, local governmental units or
20 entities in the private sector for the purpose of processing. The ~~department~~ division
21 may not process such information without the consent of the agency, authority, unit
22 or other entity which submitted the information and may not withhold such
23 information from the agency, authority, unit or other entity or from any other person
24 authorized by the agency, authority, unit or entity to have access to the information.
25 The agency, authority, unit or other entity submitting the information remains the

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

5 **SECTION 72fzb.** 22.13 (title) of the statutes, as created by 2001 Wisconsin Act
6 16, is renumbered 16.976 (title).

7 **SECTION 72fzc.** 22.13 (1) of the statutes, as created by 2001 Wisconsin Act 16,
8 is renumbered 16.976 (1) and amended to read:

9 16.976 (1) As a part of each proposed strategic plan submitted under s. ~~22.03~~
10 16.971 (2) (L), the ~~department~~ division shall require each executive branch agency
11 to address the business needs of the agency and to identify all proposed information
12 technology development projects that serve those business needs, the priority for
13 undertaking such projects, and the justification for each project, including the
14 anticipated benefits of the project. Each proposed plan shall identify any changes
15 in the functioning of the agency under the plan. In each even-numbered year, the
16 plan shall include identification of any information technology development project
17 that the agency plans to include in its biennial budget request under s. 16.42 (1).

18 **SECTION 72fzd.** 22.13 (2) of the statutes, as created by 2001 Wisconsin Act 16,
19 is renumbered 16.976 (2).

20 **SECTION 72fze.** 22.13 (3) to (6) of the statutes, as created by 2001 Wisconsin
21 Act 16, are renumbered 16.976 (3) to (6) and amended to read:

22 16.976 (3) Following receipt of a proposed strategic plan from an executive
23 branch agency, the ~~chief information officer~~ administrator shall, before June 1, notify
24 the agency of any concerns that the ~~officer~~ administrator may have regarding the
25 plan and provide the agency with his or her recommendations regarding the

1 proposed plan. The ~~chief information officer~~ administrator may also submit any
2 concerns or recommendations regarding any proposed plan to the board for its
3 consideration. The board shall then consider the proposed plan and provide the ~~chief~~
4 ~~information officer~~ administrator with its recommendations regarding the plan. The
5 executive branch agency may submit modifications to its proposed plan in response
6 to any recommendations.

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

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

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

18 **SECTION 72fzf.** 22.15 (intro.) of the statutes, as created by 2001 Wisconsin Act
19 16, is renumbered 16.977 (intro.) and amended to read:

20 **16.977 Information technology portfolio management.** (intro.) With the
21 assistance of executive branch agencies and the advice of the board, the ~~department~~
22 division shall manage the information technology portfolio of state government in
23 accordance with a management structure that includes all of the following:

24 **SECTION 72fzg.** 22.15 (1) to (3) of the statutes, as created by 2001 Wisconsin
25 Act 16, are renumbered 16.977 (1) to (3).

1 **SECTION 72fzh.** 22.17 (title) of the statutes, as created by 2001 Wisconsin Act
2 16, is renumbered 16.978 (title).

3 **SECTION 72fzi.** 22.17 (1) to (4) of the statutes, as created by 2001 Wisconsin Act
4 16, are renumbered 16.978 (1) to (4) and amended to read:

5 16.978 (1) The board shall provide the ~~chief information officer~~ administrator
6 with its recommendations concerning any elements of the strategic plan of an
7 executive branch agency that are referred to the board under s. ~~22.13~~ 16.976 (3).

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

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

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

23 **SECTION 72fzj.** 22.19 of the statutes, as affected by 2001 Wisconsin Act 16, is
24 renumbered 16.9785 and amended to read:

1 **16.9785 Purchases of computers by teachers.** The department division
2 shall negotiate with private vendors to facilitate the purchase of computers and other
3 educational technology, as defined in s. 24.60 (1r), by public and private elementary
4 and secondary school teachers for their private use. The department division shall
5 attempt to make available types of computers and other educational technology
6 under this section that will encourage and assist teachers in becoming
7 knowledgeable about the technology and its uses and potential uses in education.

8 **SECTION 72fzk.** 22.41 (title) of the statutes, as affected by 2001 Wisconsin Act
9 16, is renumbered 16.979 (title).

10 **SECTION 72fzL.** 22.41 (2) (intro.) of the statutes, as affected by 2001 Wisconsin
11 Act 16, is renumbered 16.979 (2) (intro.) and amended to read:

12 **16.979 (2) POWERS AND DUTIES.** (intro.) The department division shall ensure
13 maximum utility, cost-benefit and operational efficiency of all telecommunications
14 systems and activities of this state, and those which interface with cities, counties,
15 villages, towns, other states and the federal government. The department division,
16 with the assistance and cooperation of all other agencies, shall:

17 **SECTION 72fzm.** 22.41 (2) (a) to (f) of the statutes, as affected by 2001 Wisconsin
18 Act 16, are renumbered 16.979 (2) (a) to (f).

19 **SECTION 72fzn.** 22.41 (3) of the statutes, as affected by 2001 Wisconsin Act 16,
20 is renumbered 16.979 (3) and amended to read:

21 **16.979 (3) PRIVATE COLLEGE AND UNIVERSITY PARTICIPATION IN STATE**
22 **TELECOMMUNICATIONS NETWORK.** The department division may allow regionally
23 accredited 4-year nonprofit colleges and universities that are incorporated in this
24 state or that have their regional headquarters and principal place of business in this

1 state to participate in any telecommunications network administered by the
2 ~~department division~~.”.

3 **17.** Page 29, line 17: after that line insert:

4 “**SECTION 84m.** 29.038 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 29.038 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~
7 16.97 (7).”.

8 **18.** Page 31, line 17: after that line insert:

9 “**SECTION 93m.** 36.25 (38) (b) 6. of the statutes, as affected by 2001 Wisconsin
10 Act 16, is amended to read:

11 36.25 (38) (b) 6. To pay the department of ~~electronic government~~
12 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1).”.

13 **19.** Page 33, line 2: after that line insert:

14 “**SECTION 100n.** 44.70 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
15 is amended to read:

16 44.70 (4) “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

17 **SECTION 100nd.** 44.71 (2) (g) of the statutes, as affected by 2001 Wisconsin Act
18 16, is amended to read:

19 44.71 (2) (g) Coordinate the purchasing of educational technology materials,
20 supplies, equipment, and contractual services for school districts, cooperative
21 educational service agencies, technical college districts, and the board of regents of
22 the University of Wisconsin System by the department under s. 16.72 (8), and, in
23 cooperation with the department ~~and subject to the approval of the department of~~
24 ~~electronic government~~, establish standards and specifications for purchases of

1 educational technology hardware and software by school districts, cooperative
2 educational service agencies, technical college districts, and the board of regents of
3 the University of Wisconsin System.

4 **SECTION 100nL.** 44.71 (2) (h) of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 44.71 (2) (h) ~~With the approval of the department of electronic government,~~
7 purchase Purchase educational technology equipment for use by school districts,
8 cooperative educational service agencies, and public educational institutions in this
9 state and permit the districts, agencies, and institutions to purchase or lease the
10 equipment, with an option to purchase the equipment at a later date. This paragraph
11 does not require the purchase or lease of any educational technology equipment from
12 the board.

13 **SECTION 100nr.** 44.73 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
14 is amended to read:

15 44.73 (1) Except as provided in s. 196.218 (4t), the board, in consultation with
16 the department and ~~subject to the approval of the department of electronic~~
17 ~~government,~~ shall promulgate rules establishing an educational
18 telecommunications access program to provide educational agencies with access to
19 data lines and video links.

20 **SECTION 100nt.** 44.73 (3) of the statutes, as affected by 2001 Wisconsin Act 16,
21 is amended to read:

22 44.73 (3) The board shall submit an annual report to the department on the
23 status of providing data lines and video links that are requested under sub. (2) (a)
24 and the impact on the universal service fund of any payment under contracts under
25 s. ~~16.974~~ 16.971 (13) to (16).

1 **SECTION 100nv.** 44.73 (6) (a) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 44.73 (6) (a) From the appropriation under s. 20.275 (1) (s) or (tm), the board
4 may award an annual grant to a school district or private school that had in effect
5 on October 14, 1997, a contract for access to a data line or video link, as documented
6 by the board. The board shall determine the amount of the grant, which shall be
7 equal to the cost incurred by the state to provide telecommunications access to a
8 school district or private school under a contract entered into under s. ~~16.974 (1) or~~
9 ~~(3) 16.971 (13) or (15)~~ less the amount that the school district or private school would
10 be paying under sub. (2) (d) if the school district or private school were participating
11 in the program established under sub. (1), except that the amount may not be greater
12 than the cost that a school district or private school incurs under the contract in effect
13 on October 14, 1997. A school district or private school receiving a grant under this
14 subsection is not eligible to participate in the program under sub. (1). No grant may
15 be awarded under this subsection after December 31, 2005.”.

16 **20.** Page 153, line 25: after that line insert:
17 “**SECTION 258m.** 85.12 (3) of the statutes, as affected by 2001 Wisconsin Act 16,
18 is amended to read:

19 85.12 (3) The department may contract with any local governmental unit, as
20 defined in s. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services
21 under this section.”.

22 **21.** Page 177, line 14: after that line insert:
23 “**SECTION 346g.** 196.218 (5) (a) 5. of the statutes, as affected by 2001 Wisconsin
24 Act 16, is amended to read:

1 196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 16.971
2 (13) to (16) to the extent that these costs are not paid under s. 44.73 (2) (d), except
3 that no moneys in the universal service fund may be used to pay installation costs
4 that are necessary for a political subdivision to obtain access to bandwidth under a
5 shared service agreement under s. 44.73 (2r) (a).

6 **SECTION 346h.** 196.218 (5) (a) 6. of the statutes, as affected by 2001 Wisconsin
7 Act 16, is amended to read:

8 196.218 (5) (a) 6. To pay the department of ~~electronic government~~
9 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1)
10 to the campuses of the University of Wisconsin System at River Falls, Stout, Superior
11 and Whitewater.

12 **SECTION 346m.** 196.858 (1) and (2) of the statutes, as affected by 2001
13 Wisconsin Act 16, are amended to read:

14 196.858 (1) The commission shall annually assess against local exchange and
15 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the
16 amounts appropriated under s. ~~20.530~~ 20.505 (1) (ir).

17 (2) The commission shall assess a sum equal to the annual total amount under
18 sub. (1) to local exchange and interexchange telecommunications utilities in
19 proportion to their gross operating revenues during the last calendar year. If total
20 expenditures for telephone relay service exceeded the payment made under this
21 section in the prior year, the commission shall charge the remainder to assessed
22 telecommunications utilities in proportion to their gross operating revenues during
23 the last calendar year. A telecommunications utility shall pay the assessment within
24 30 days after the bill has been mailed to the assessed telecommunication utility. The

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

3 **22.** Page 180, line 3: after that line insert:

4 "SECTION 353m. 221.0320 (3) (a) of the statutes, as affected by 2001 Wisconsin
5 Act 16, is amended to read:

6 221.0320 (3) (a) In this subsection, "local governmental unit" has the meaning
7 given in s. ~~22.01~~ 16.97 (7).".

8 **23.** Page 180, line 20: after that line insert:

9 "SECTION 362m. 230.08 (2) (e) 1. of the statutes, as affected by 2001 Wisconsin
10 Act 16, is amended to read:

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

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

14 **24.** Page 182, line 16: after that line insert:

15 "SECTION 369m. 283.84 (1) (c) of the statutes, as affected by 2001 Wisconsin Act
16 16, is amended to read:

17 283.84 (1) (c) Reaches an agreement with the department or a local
18 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), under which the person pays
19 money to the department or local governmental unit and the department or local
20 governmental unit uses the money to reduce water pollution in the project area.".

21 **25.** Page 222, line 23: after that line insert:

22 "SECTION 512m. 758.19 (7) of the statutes, as affected by 2001 Wisconsin Act
23 16, is amended to read:

1 758.19 (7) The director of state courts shall adopt, revise biennially and submit
2 to the cochairpersons of the joint committee on information policy and technology, the
3 governor and the ~~department of electronic government~~ secretary of administration,
4 no later than September 15 of each even-numbered year, a strategic plan for the
5 utilization of information technology to carry out the functions of the courts and
6 judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the
7 business needs of the courts and judicial branch agencies and shall identify all
8 resources relating to information technology which the courts and judicial branch
9 agencies desire to acquire, contingent upon funding availability, the priority for such
10 acquisitions and the justification for such acquisitions. The plan shall also identify
11 any changes in the functioning of the courts and judicial branch agencies under the
12 plan.”.

13 **26.** Page 369, line 2: after that line insert:

14 “(5t) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT.

15 (a) *Assets and liabilities.* Except as provided in SECTION 9259 (9r), on the
16 effective date of this paragraph, the assets and liabilities of the department of
17 electronic government shall become assets and liabilities of the department of
18 administration.

19 (b) *Positions and employees.*

20 1. On the effective date of this subdivision, all full-time equivalent positions
21 in the department of electronic government, except the positions occupied by the
22 and 2 division administrator positions determined by the secretary of
secretary, the deputy secretary, and the executive assistant, are transferred to the
23 department of administration. administrations

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

4 3. Employees transferred under subdivision 2. have all of the rights and the
5 same status under subch. V of ch. 111 and chapter 230 of the statutes in the
6 department of administration that they enjoyed in the department of electronic
7 government immediately before the transfer. Notwithstanding section 230.28 (4) of
8 the statutes, no employee so transferred who has attained permanent status in class
9 is required to serve a probationary period.

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

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

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

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

6 **27.** Page 371, line 23: after that line insert:

7 “(13q) PRINTING, MAIL PROCESSING AND INFORMATION TECHNOLOGY PROCESSING
8 REVENUE LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, there is lapsed
9 to the general fund \$11,400,000 on day after the effective date of this subsection and
10 \$11,400,000 on July 1, 2002, from the appropriation account of the department of
11 administration under section 20.505 (1) (kL) of the statutes, as created by this act.”

12 **28.** Page 425, line 22: after that line insert:

13 “(1) (ke)

1,250,000”

14 **29.** Page 427, line 1: delete *may now* that line
Page 427, line 4: delete “1,250,000” and substitute “-0-”
15 **30.** Page 434, line 11: after that line insert:

16 “(9r) APPROPRIATION ACCOUNT BALANCE TRANSFERS; ELECTRONIC GOVERNMENT.

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

21 (b) The unencumbered balance in the appropriation account under section
22 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to gifts,
23 grants and bequests received by the department of electronic government, as

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1 determined by the secretary of administration, is transferred to the appropriation
2 account under section 20.505 (1) (j) of the statutes.

3 (c) The unencumbered balance in the appropriation account under section
4 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources
5 specified in sections 16.972 (2) (b) and (c) and 16.974 (2) of the statutes, as affected
6 by this act, and section 44.73 (2) (d) of the statutes, for the provision of computer
7 services, telecommunications services, and supercomputer services to state
8 authorities, units of the federal government, local governmental units, and entities
9 in the private sector, as determined by the secretary of administration, is transferred
10 to the appropriation account under section 20.505 (1) (is) of the statutes, as created
11 by this act.

12 (d) The unencumbered balance in the appropriation account under section
13 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source
14 specified in s. 16.974 (3) of the statutes, as affected by this act, for the provision of
15 electronic communications services to state authorities, units of the federal
16 government, local governmental units, and entities in the private sector, as
17 determined by the secretary of administration, is transferred to the appropriation
18 account under section 20.505 (1) (it) of the statutes, as created by this act.

19 (e) The unencumbered balance in the appropriation account under section
20 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source
21 specified in section 16.974 (3) of the statutes, as affected by this act, for the provision
22 of electronic communications services to state agencies, as determined by the
23 secretary of administration, is transferred to the appropriation account under
24 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 of the statutes, as affected by this act, for the provision of printing, mail processing, 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.

(h) 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.”.

(END)

PWS
41-17

2001

Nonstat File Sequence:

DDD

LRB

62900,2

JTK

\$\$\$ CHANGE

INS 39-5

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → \$change

For the budget action phrase, execute: create → action: → *NS: → 92XX

For the text, execute: create → text: → *NS: → \$change

2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9200 department code.

#. Page 370, line 14: after that line insert:

SECTION # [92] Appropriation changes;

TELECOMMUNICATIONS AND VETERANS SERVICES

In the schedule under section

20.005 (3) of the statutes for the appropriation to the department of administration

under section 20.505... (1) (ke) of the statutes, as affected by the acts of

2001, the dollar amount is ~~increased by \$102,500~~

the dollar amount is decreased

by \$102,500 for fiscal year 2002-03 to decrease funding

for the purposes for which the appropriation is made

* Use the 2nd alternative if the purpose of the increase or decrease is more limited than the purpose or purposes of the appropriation as currently shown in the text of ch. 20, stats.

ANS 41-17

A page 455, line 7: after that line insert:

(3) " (39) ^{CS} ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT. The treatment of sections 13.101 (14),

13.58 (5) (a) 5. and (b) 4. (intro.), 13.90 (6), 13.93 (2) (h), 14.20 (1) (a), 15.07 (2) (L), 15.103 (6), 15.107 (7) (f), 15.21, 15.215 (~~intro.~~) and (1), 16.43, 16.61 (2) (af) and (3n), 16.70

(4m) and (15), 16.71 (1m), (2m), and (4), 16.72 (2) (a) and (b) and (4) (a), 16.75 (3+) (a) and (6) (am), 16.752 (12) (i), 16.78, ~~subchapter VII (title)~~ 16.97, 16.974

(intro.) and (1) to (4), 19.36 (4), 20.225 (1) (kb), 20.275 (1) (s), (t), (tm), (tu), and (tw), 20.505 (1) (im), (is), (it), (kg), (kL) and (kr) and (6) (j) 12., 20.530 (intro.) (1) (title), and (g), (ir), (ja), (ke), (kp), (kq), and (m), 20.923 (4) (h) 2.,

~~Chapter VII (title)~~ 22.01 (intro.), (1), (2), (2m), (3), (4), (5), and (5m) to (10), 22.03 (title), (2) (intro.), (a), and (ae),

(2) (am) to (k), (L) to (m), and (n), ~~22.03~~ (2m) (intro.) and (a) to (h), (4) (b), and (c), ~~and~~ (6), 22.05 (title), (9), and (11),

(3), (1), (2) (intro.), ~~and~~ (a) to (d), (e), (f), (g), (h), and (i), 22.07 (intro.), (1), (2), (3), (4) to (8), and (9), 22.09 (intro.), (1) to (3), and (5), 22.11, 22.13 (title), (1), (2), and (3) to (6), 22.15 (intro.) and (1) to (3), 22.17 (title) and (1) to (4), 22.19, 22.41 (title), (2) (intro.) and (a) to (f), and (3), 29.038 (1) (a), 36.25 (38) (b) 6.,

44.70 (4), 44.71 (2) (g) and (h), (3), and (6) (a), 85.12 (3), 196.218 (5) (a) 5. and 6., 196.858 (1) and (2), 221.0320

(3) (a), 230.08 (2) (e) 1. and 3r., 283.84 (1) (c), and 758.19 (7),

~~of the statutes and~~ ^{CS} SECTIONS 9159 (5t), 9201 (7g), and 9259 (9r) take effect on July 1, 2002."

of this act

Subchapter VII (title) of chapter 16, and chapter 22 (title)

EFF DATE