

**2001 DRAFTING REQUEST**

**Bill**

Received: 01/08/2001

Received By: kuesejt

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-0777

By/Representing: Caucutt

This file may be shown to any legislator: NO

Drafter: kuesejt

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Alt. Drafters:

Subject: State Government - miscellaneous

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MDK - 1  
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RCT- 1  
MGD- 1

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**Pre Topic:**

DOA:.....Caucutt/Grinde/Milioto/Montgomery/Dombrowski/Fath/Coomber -

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**Topic:**

Department of electronic government

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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>
/?	kuesejt						State

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/4	kuesejt 02/05/2001	gilfokm 02/05/2001	haugeca 02/05/2001	_____	lrb_docadmin 02/06/2001		State
/5	kuesejt 02/07/2001	gilfokm 02/07/2001	rschluet 02/07/2001	_____	lrb_docadmin 02/07/2001		State
/6	kuesejt 02/12/2001	jdye 02/13/2001	pgreensl 02/13/2001	_____	lrb_docadmin 02/13/2001		

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/4	kuesejt 02/05/2001	gilfokm 02/05/2001	haugeca 02/05/2001	_____	lrb_docadmin 02/06/2001		State

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Department of information services

#### Instructions:

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**Topic:**

Department of Information Services

*↓*  
*↓*

**Instructions:**

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editing &  
POE dot  
CA*

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*1/1 pg  
1/3/01*

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FE Sent For:

*1/3/01*

**Miller, Steve**

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**From:** Caucutt, Dan  
**Sent:** Saturday, January 06, 2001 4:11 PM  
**To:** Miller, Steve  
**Cc:** Seemeyer, Linda; Chandler, Rick; Montgomery, John; Dombrowski, Cynthia; Puntillo, Susan - DOA; King, Sari; McMahon, Paul  
**Subject:** Department of Information Services (DOIS)  
 Steve:

I have come from an East Wing briefing this afternoon in which the governor(s) decided to create a new state agency in the 2001-03 budget. It would take functions and authorities currently in DOA and assume new authorities as well. Others here are currently working on the details, but in the mean time here are some broad elements that describe the initiative. Some of these may change in the final drafting instructions.

The new agency (DOIS) would be headed by a position of the State Chief Information Office (CIO) serving at the pleasure of the Governor. Essentially, the CIO would have statutory authority to control all IT activity in state executive branch agencies. [This may or may not ultimately include the UW System and the Courts]. These authorities would be centralized in the CIO, but may be delegated to individual agencies, as deemed appropriate, probably similar to DER's functions. The CIO would

- Assume oversight of IT procurement (equipment and services) across all executive branch agencies. Chapter 16 commensurately needs to be revised to exclude IT procurement from DOA oversight.
- Set policy and standards for IT across state agencies.
- Review and approve agency IT system development projects (enterprise portfolio management).
- Provide project management for IT systems being developed by state agencies (to avoid problems like the Elections Board's).
- Be able to unilaterally transfer IT positions out of agencies into DOIS or from one state agency to another, regardless of funding source.
- Have a general program operations program revenue continuing appropriation which would encompass DOA's current InfoTech Services shop, BadgerNet network, and the supporting costs for the 275 to 300 positions which would make up DOIS. Appropriations, in whole or in part, (and their explicit authorities) in DOA would be consolidated into this single DOIS appropriation, as would the assets and authorized positions.
- Have authority to chargeback DOIS costs to state agencies from the preceding PR-continuing appropriation.
- Have authority to control executive agency budgets for IT. This may include allotment control, the ability to move base level funds of an agency into unallotted reserve or to authorize the expenditure of funds appropriated to agencies for IT. Section 16.50 vesting this authority with the Secretary of Administration may need to be modified to accomplish this.
- Have authority to review and approve agency IT budget requests that agencies wish to advance to the Department of Administration under s.16.42.
- Have an "E-Government Services" PR continuing appropriation to in which to pool executive branch agency funding and assets in order to develop common or shared applications. The CIO could enter memorandums of understanding with state agencies regarding development of these applications. There would need to be statutory authority for the CIO to unilaterally transfer funds and assets from any executive agency appropriation into the e-gov services appropriation, provided such transfers were otherwise consistent with state and federal law.
- Have a statutory cabinet level Technology Commission attached to DOIS, chaired by the Governor, with private sector members, that would confirm strategic directions and advise the CIO.
- Have authority to work with local units of government in joint venture projects, especially in creating a single-point entry for "e-government" in Wisconsin across all levels.

In addition to the above powers, the CIO would also be statutorily charged with certain responsibilities, such as ensuring efficiency in the organization and operation of state government services supported by IT. Also, there is interest in updating the state's electronic signature law to conform with federal and uniform laws.

Please advise if you see any concerns regarding the detailed drafting of this initiative for the budget.

**Miller, Steve**

---

**From:** Caucutt, Dan  
**Sent:** Monday, January 15, 2001 9:33 AM  
**To:** Miller, Steve  
**Cc:** Seemeyer, Linda; Puntillo, Susan - DOA; King, Sari; Chandler, Rick; Cramer, Robert; Reines, Bruce; Bourque, Ann; McMahon, Paul; Wagner, Dick; Montgomery, John  
**Subject:** Drafting Instructions for Department of Information Services (DOIS)  
Steve:

A week ago I sent you an outline of the a new Department of Information Services. Attached are more detailed drafting instructions. Without doubt, when your attorneys study these they will have many questions. Also, others here in DOA will have refinements when they read this draft. Some of the powers envisioned here are without parallel in Wisconsin state government. Also, current authorities of the secretary of the department of administration will need to be revised to be consistent with those given to the state Chief Information Officer. The concept being written includes the University of Wisconsin System, though the CIO should be able to delegate many of the centralized elements.

A meeting of appropriate drafting attorneys and DOA staff may help clarify intent here and facilitate actual drafting. We invite this and anticipate your comment.

1/15/01



**Drafting Instructions for Department of Information Services (DOIS) *version 1***  
*15-Jan-01*

✓ The overall intent is to create a powerful, new agency that has near absolute control over the statewide direction of Information Technology and the commitment of resources to any IT venture in the executive branch.

There is also desired a statutory Information Technology Management Commission (ITMC) chaired by the Governor which is attached to DOIS (see further description of ITMC below).

Toward that goal, current language in Chapter 16, subchapters VII and IX could largely be lifted and incorporated into DOIS, with the department replacing the division (of information technology services).

✓ **Strategic Planning and IT Budgeting.**

What is currently s.16.971 should be modified to add a due date for agency submission of their strategic plans for utilization of information technology [(2L)]. The plans are due not later than March 1 of each year.

The plans should be prepared in a form specified by the DOIS – question to LRB: should we specify the Chief Information Officer (CIO) with responsibilities and powers, as we do the secretary of DOA, or just reference the department?

The plans should address all IT initiatives which the agency is proposing to undertake from currently appropriated resources for the following fiscal year. For example, the plan for March 1, 2002 would be for activities proposed for the fiscal year beginning July 1, 2002. In even numbered years, the strategic plans must also include any IT-related initiatives which the agency proposes to include in its biennial budget submission under s.16.42 that year.

The CIO will evaluate agency plans submitted under the above and take recommendations on any part of the plans to the ITMC on or before June 1. In advance of this, the CIO will notify agencies of any issues or recommendations DOIS has identified. The CIO will decide what elements to advance. ITMC will provide advice (only) regarding the items placed before it.

The CIO will approve agency plans in whole or in part, incorporating advice from the Commission, and return to agencies by June 15.

In even numbered years, the Secretary of Administration [shall] or [may] set aside any budget request made by an agency which is inconsistent with strategic plans approved.

Decision items approved in the biennial budget or other authorization sources may not be implemented by agencies until approved by the CIO in a process to be specified by the CIO.

✓ **Information Technology Management Commission**

- Has the following membership: Governor (chair); State CIO (vice chair); DOA Secretary; 2 agency heads appointed by the Governor; 2 public sector members appointed by the Governor.
- Appointments are for a four year term.
- Staffed by DOIS.
- Charged with reviewing matters brought before it by the CIO, including but not limited to strategic plan elements, as above.
- Charged with reviewing an IT portfolio management methodology when developed by the CIO and subsequently as modified (see below)
- Charged with considering agency appeals of decisions made by the CIO.
- Charged with monitoring progress in meeting goals set by agencies or the CIO.
- Had regular quarterly meetings, as well as ad hoc meetings at the call of the Governor.

✓ **Portfolio Management Responsibility**

The new department shall develop, with the assistance of executive branch agencies and the advice of the ITMC, a system for the management of the state's IT portfolio. Portfolio is defined to mean information technology infrastructure such as desktop workstations, networks and servers; human resources devoted to developing and maintaining any IT system; the systems and applications themselves; and information resources.

The CIO may incorporate elements of the federal portfolio management structure as outlined in the federal Clinger Cohen Act (circa 1996-98) which requires federal agencies to participate. The state's methodology must identify:

- criteria for selection of IT assets and applications to be managed
- methods for monitoring and controlling projects and assets
- methods to evaluate progress in projects and effectiveness in systems, which methods shall include performance measurements for the IT portfolio.

✓ **Project Management Responsibility**

The new department shall oversee the planning and development of state executive branch agency IT systems as determined by the CIO. The intent is to assume project leadership in cases where an agency lacks the knowledges or staff resources to adequately evaluate, plan and procure the resources to develop information systems. In most cases this would be smaller agencies. DOIS may charge the costs of project management directly to the benefactor agency, or treat the expense and an overhead expense, as the circumstances may dictate.

✓ **Procurement**

In general concept, DOIS needs to have a very strong controllership role over the procurement of IT resources (equipment and contractual services). This reinforces the goal of IT resource acquisition in state agencies being consistent with strategic and "enterprise" directions that have been set under the new department and commission. It is anticipated that certain resources such as network servers and desktop hardware and software will be centrally procured and centrally

supported and perhaps even centrally operated. Therefore, it is important that agencies' procurement abilities be subject to the DOIS oversight.

Exactly how DOA's Chapter 16 procurement language should be modified we leave up to you. Please note that the special largesse provided under s.16.75(6)(am) would be transferred to DOIS. There should be a statutorily required report to DOA by DOIS detailing the "major procurements" made under this section.

### ✓ Position Control

The CIO should have the statutory authority to (unilaterally) transfer on a temporary or permanent basis any IT position in an executive branch agency from any funding source to any other executive branch agency appropriation. The transfer would also take the incumbent who would retain earned seniority and civil service rights. This is to allow a redeployment of staff resources to work on enterprise ventures and to concentrate staff in the place deemed most appropriate. Any such transfers would have to be otherwise consistent with current and federal law. Note that only the position would be transferable under this authority, not associated funding. Most likely, positions would be taken from agencies and concentrated in DOIS. Administratively (though we don't think it necessary statutorily) memoranda of understanding between the CIO and affected agencies could define the terms of redeployment.

### ✓ Appropriations of DOIS

The new department should have three program revenue continuing appropriations:

General Program Operations  
Electronic Government  
Gifts and Grants

✓ The first one should embody the consolidation of five existing appropriations in DOA: 505(1)(ke); (1)(kL); (1)(kr); (1)(is); (4)(is). In addition, there should be language added (if the consolidated language is not permissive) allowing DOIS to acquire, operate and maintain any IT equipment or systems and to recover the costs of doing so by chargeback to state agencies. The language should also allow DOIS to provide IT project development and management services related to statewide or agency systems. If necessary, authority should be present to pay for the costs of administrative services provided by DOA pursuant to a s.15.03 housekeeping arrangement. All balances, assets and liabilities of these DOA appropriations, as determined by the secretary of administration, will transfer to this appropriation.

✓ The second appropriation is where the resources devoted to implementing "e-commerce" or "e-government" are to be funded. It would allow the CIO to incur obligations and costs that support development or operation and maintenance of any system or device facilitating Internet or telephone access to information about state agency programs and services or otherwise permitting the transaction of business through these means. Again, the CIO is able to chargeback or assess all costs of this appropriation to state agencies. *Note: It is possible that DOIS will enter partnerships with private sector organizations or businesses, though this would be a minor proportion of total activity. The language should permit this.*

✓ Both the GPO and e-gov appropriations should be added to the exemptions under s.20.903(2)(b).

✓ The third appropriation is a standard gifts and grants item.

✓ Among the three appropriations, the CIO should be able to enter agreements with state agencies of any branch; with federal, state or local governments; and with private sector concerns; and incur costs and recover revenues accordingly.

✓ The CIO should have explicit authority by statute (either here or elsewhere) to transfer cash balances from any executive branch agency appropriation to (a) the GPO or e-gov appropriations, or (b) any executive branch agency appropriation, when such reallocations, in the opinion of the CIO, facilitate a more efficient or effective funding of enterprise level IT services. ["Enterprise" means executive branch state government]. Any such transfers would have to be otherwise consistent with state and federal laws. The secretary of administration and state controller shall effect such transfers upon request of the CIO.

✓ **Reports to the Legislature**

Any position transfers among executive branch agencies shall be reportable to the Legislature under s.16.50(3).

✓ **Rate Setting Authority**

While perhaps implicit in the appropriation language above, the CIO should have authority to set all rates for services provided by DOIS.

✓ **Staff of DOIS**

Most of the positions initially making up the new agency would come from consolidations of the existing DOA appropriations as described above. There may be a few positions which come from a DOA appropriation not itemized above. The positions and their incumbents would be transferred with existing rights into the GPO appropriation. A total of six (6) of the positions transferring will be unclassified in DOIS: the CIO; Deputy CIO; Executive Assistant; and three division administrators.

X **Housekeeping Attachment to DOA**

To avoid having to replicate administrative staff in DOIS, there should be a s.15.03 attachment of DOIS to the Department of Administration. DOA may charge DOIS for costs of such administrative services.

2001

Date (time) needed

*DATE SOON*

LRB-1857, 1

**DOA BUDGET DRAFT**

*(This draft was transmitted to JJK: "..." unedited)*

Use the appropriate components and routines developed for bills.

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: *the budget. Creation of a department of information technology and making appropriations*

*Analysis by the Legislative Reference Bureau*

- If titles are needed in the analysis, in the component bar:
  - For the main heading, execute: ..... create → anal: → title: → head
  - For the subheading, execute: ..... create → anal: → title: → sub
  - For the sub-subheading, execute: ..... create → anal: → title: → sub-sub
- For the analysis text, in the component bar:
  - For the text paragraph, execute: ..... create → anal: → text

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

SECTION #.

Cathlene -

I have forwarded this draft to the WPO group.

Please ask them to assemble, transmit to DSA, mark "unedited" on top of front page and forward to and place the file in the editing basket marked "soon".

Thanks,

Jeff

**2001-2002 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1857/lins  
JTK.....

**SECTION 1.** 13.101 (14) of the statutes is amended to read:

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

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

**SECTION 2.** 13.58 (5) (a) 5. of the statutes is amended to read:

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

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

**SECTION 3.** 13.58 (5) (b) 1. of the statutes is amended to read:

13.58 (5) (b) 1. Direct the ~~subunit in the~~ department of ~~administration with policy-making responsibility related to information technology~~ information services to conduct studies or prepare reports on items related to the committee's duties under par. (a).

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

**SECTION 4.** 13.58 (5) (b) 4. (intro.) of the statutes is amended to read:

13.58 (5) (b) 4. (intro.) With the concurrence of the joint committee on finance, direct the department of ~~administration~~ information services to report semiannually to the committee and the joint committee on finance concerning any specific information technology system project which is being designed, developed, tested or implemented and which the committees anticipate will have a total cost to the state

exceeding \$1,000,000 in the current or any succeeding fiscal biennium. The report shall include all of the following:

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

**SECTION 5.** 13.90 (6) of the statutes is amended to read:

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

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

**SECTION 6.** 13.93 (2) (h) of the statutes is amended to read:

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

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

**SECTION 7.** 14.20 (1) (a) of the statutes is amended to read:

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

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

**SECTION 8.** 15.07 (2) (L) of the statutes is created to read:



15.07 (2) (L) The governor shall serve as chairperson of the information technology management board and the chief information officer shall serve as vice chairperson of that board.

**SECTION 9.** 15.07 (3) (bm) 4. of the statutes is created to read:

15.07 (3) (bm) 4. The information technology management board shall meet at least 4 times each year or on the call of the chairperson.

**SECTION 10.** 15.103 (3) of the statutes is repealed.

**SECTION 11.** 15.103 (5) of the statutes is repealed.

**SECTION 12.** 15.105 (25) (intro.) of the statutes is renumbered 15.235 (2) (intro.) and amended to read:

**15.235 (2) TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT IN WISCONSIN BOARD.**  
(intro.) There is created a technology for educational achievement in Wisconsin board which is attached to the department of ~~administration~~ information services under s. 15.03. The board shall consist of the state superintendent of public instruction or his or her designee, the ~~secretary of administration~~ chief information officer or his or her designee and the following members appointed for 4-year terms:

**History:** 1971 c. 40, 164, 270; 1973 c. 90, 333; 1975 c. 397; 1977 c. 29 s. 1649; 1977 c. 196 ss. 9, 10; 1977 c. 325, 392, 396, 418, 447; 1981 c. 20, 62, 182, 350, 374; 1983 a. 27, 91; 1983 a. 192 s. 303 (7); 1983 a. 371; 1985 a. 29 ss. 68 to 70, 87, 3202 (27); 1985 a. 180 s. 30m; 1987 a. 27, 142; 1987 a. 147 s. 25; 1987 a. 204, 342; 1989 a. 31, 56, 107, 345; 1991 a. 212, 269; 1993 a. 75, 246, 349, 437, 465, 491; 1995 a. 27 ss. 79 to 118p, 9116 (5), 9126 (19); 1995 a. 221, 225; 1997 a. 3, 27, 247; 1999 a. 9, 105, 185.

**SECTION 13.** 15.105 (25) (a) to (c) of the statutes are renumbered 15.235 (2) (a) to (c).

**SECTION 14.** 15.107 (7) (f) of the statutes is amended to read:

15.107 (7) (f) A representative of the ~~unit in the~~ department of ~~administration~~ information services that ~~deals with information technology~~ information services.

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

**SECTION 15.** 15.23 of the statutes is created to read:

**15.23 Department of information services; creation.** There is created a department of information services under the direction and supervision of the secretary of information services, who shall be known as the "chief information officer".

**SECTION 16.** 15.235 of the statutes is created to read:

**15.235 Same; attached boards. (1) INFORMATION TECHNOLOGY MANAGEMENT BOARD.** There is created an information technology management board which is attached to the department of information services under s. 15.03. The board shall consist of the governor, the chief information officer, the secretary of administration, 2 heads of departments or independent agencies appointed to serve at the pleasure of the governor, and 2 public officers or employees appointed to serve for 4 year terms.

**SECTION 17.** 16.43 of the statutes is amended to read:

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

History: 1977 c. 29; 1981 c. 20.

**SECTION 18.** 16.50 (3) of the statutes is amended to read:

**16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES.** No department, except the legislature or the courts, may increase the pay of any employee, expend money

or incur any obligation except in accordance with the estimate that is submitted to the secretary as provided in sub. (1) and approved by the secretary or the governor. No change in the number of full-time equivalent positions authorized through the biennial budget process or other legislative act may be made without the approval of the joint committee on finance, except for position changes made by the governor under s. 16.505 (1) (c) or (2), by the chief information officer under s. 16.505 (2e), by the University of Wisconsin Hospitals and Clinics Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin System under s. 16.505 (2m). The secretary may withhold, in total or in part, the funding for any position, as defined in s. 230.03 (11), as well as the funding for part-time or limited term employees until such time as the secretary determines that the filling of the position or the expending of funds is consistent with s. 16.505 and with the intent of the legislature as established by law or in budget determinations, or the intent of the joint committee on finance creating or abolishing positions under s. 13.10, the intent of the governor creating or abolishing positions under s. 16.505 (1) (c) or (2), the intent of the chief information officer transferring positions under s. 16.505 (2e), or the intent of the board of regents of the University of Wisconsin System in creating or abolishing positions under s. 16.505 (2m). Until the release of funding occurs, recruitment or certification for the position may not be undertaken. The secretary shall submit a quarterly report to the joint committee on finance of any position changes made by the governor under s. 16.505 (1) (c) or by the chief information officer under s. 16.505 (2e). No pay increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as provided in a collective bargaining agreement under subch. V of ch. 111. At the request of the secretary of employment relations, the secretary of administration may authorize the temporary creation of

pool or surplus positions under any source of funds if the secretary of employment relations determines that temporary positions are necessary to maintain adequate staffing levels for high turnover classifications, in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus or pool positions authorized by the secretary shall be reported quarterly to the joint committee on finance in conjunction with the report required under s. 16.54 (8).

**History:** 1971 c. 270; 1973 c. 333; 1975 c. 39; 1977 c. 29, 196, 418; 1979 c. 32, 34; 1981 c. 20, 27, 30, 314; 1983 a. 27 ss. 70, 71a, 2202 (42); 1985 a. 332 s. 251 (6); 1987 a. 4, 27; 1989 a. 31, 336; 1991 a. 316; 1993 a. 16; 1995 a. 27; 1997 a. 27; 1999 a. 9.

**SECTION 19.** 16.505 (1) (intro.) of the statutes is amended to read:

16.505 (1) (intro.) Except as provided in subs. (2), (2e), (2m) and (2n), no position, as defined in s. 230.03 (11), regardless of funding source or type, may be created or abolished unless authorized by one of the following:

**History:** 1977 c. 196, 418; 1979 c. 34; 1981 c. 20; 1983 a. 27; 1987 a. 27; 1989 a. 31, 127; 1991 a. 39, 269; 1993 a. 16; 1995 a. 27; 1997 a. 27.

**SECTION 20.** 16.505 (2e) of the statutes is created to read:

16.505 (2e) (a) In this subsection, "executive branch agency" has the meaning given under s. 16.70 (4).

(b) 1. In addition to the procedure under sub. (2), the chief information officer may, unless otherwise required by state or federal law or unless otherwise required by the federal government as a condition to receipt of aids by this state, transfer any whole or fractional number of authorized full-time equivalent positions having responsibilities related to information technology or telecommunications functions from any executive branch agency to the department of information services or another executive branch agency, or may transfer the funding source for any such positions within the appropriations made to an executive branch agency, for the purpose of carrying out the authorized functions of the department of information services. The chief information officer may also change the funding source, in whole or in part, for any position transferred to the department of information services or

another executive branch agency under this paragraph. The chief information officer may also rescind any previous action under this paragraph. If the funding source for any position is changed under this subdivision and the transfer or change in funding sources is rescinded, the funding source for that position reverts to the original funding source. The number of authorized full-time equivalent positions for the department of information services or any other executive branch agency from which or to which positions are transferred under this paragraph and the allocation of full-time equivalent positions to the department of information services and other executive branch agencies among funding sources is adjusted to reflect the transfer on the date that the transfer is made.

2. On the effective date of any transfer of employees between executive branch agencies under subd 1., any incumbent in a position that is affected by the transfer is transferred to the appropriate executive branch agency required to effect the transfer. Employees transferred under this subsection have all the rights and the same status under subch. V of ch. 111 and ch. 230 in the executive branch agency to which they are transferred that they enjoyed in the executive branch agency by which they were employed immediately prior to the transfer. Notwithstanding s. 230.28 (4), no employee so transferred who has attained permanent status in class may be required to serve a probationary period in the position to which the employee is transferred.

3. Promptly following the completion of each calendar quarter, the chief information officer shall report to the secretary the number of position changes made by the officer during the preceding calendar quarter, itemized for each executive branch agency and funding source and, if applicable, the specific appropriations from

which funding for any position was provided or from which funding for any position was deleted.

**SECTION 21.** 16.517 of the statutes is amended to read:

**16.517 Adjustments of program revenue positions and funding levels.**

No later than 30 days after the effective date of each biennial budget act, the department shall provide to the joint committee on finance a report indicating any initial modifications that are necessary to the appropriation levels established under that act for program revenue and program revenue-service appropriations as defined in s. 20.001 (2) (b) and (c) or to the number of full-time equivalent positions funded from program revenue and program revenue-service appropriations authorized by that act to account for any additional funding or positions authorized under s. 16.505 (2) , (2e) or (2m) or 16.515 in the fiscal year immediately preceding the fiscal biennium of the budget that have not been included in authorizations under the biennial budget act but which should be included as continued budget authorizations in the fiscal biennium of the budget. Such modifications shall be limited to adjustment of the appropriation or position levels to the extent required to account for higher base levels for the fiscal year immediately preceding the fiscal biennium of the budget due to appropriation or position increases authorized under s. 16.505 (2) , (2e) or (2m) or 16.515 during the fiscal year immediately preceding the fiscal biennium of the budget. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed modifications within 14 working days after the date of receipt of the department's report, the department may make the modifications specified in the report. If, within 14 working days after the date of the department's report, the cochairpersons of the committee notify the secretary that the committee

has scheduled a meeting for the purpose of reviewing the proposed modifications, the department may not make the modifications specified in the report until the committee approves the report.

History: 1985 a. 29; 1987 a. 4, 27; 1991 a. 39; 1995 a. 27.

**SECTION 22.** 16.52 (intro.) of the statutes is repealed.

**SECTION 23.** 16.52 (1), (2) and (3) of the statutes are amended to read:

16.52 (1) (title) ~~KEEP SEPARATE ACCOUNTS OF MONEYS AND FUNDS~~ Keep The department shall keep in its office separate accounts of the revenues and funds of the state, and of all moneys and funds received or held by the state, and also of all encumbrances, expenditures, disbursements and investments thereof, showing the particulars of every encumbrance, expenditure, disbursement and investment.

History: 1971 c. 125, 261; 1973 c. 243; 1975 c. 41 s. 52; 1977 c. 29; 1977 c. 196 s. 130 (3), (4); 1977 c. 272, 273, 418; 1979 c. 34 ss. 65 to 67, 2102 (43) (a); 1981 c. 14; 1983 a. 27 ss. 73, 74, 2202 (42); 1983 a. 368; 1985 a. 29; 1987 a. 399; 1989 a. 31, 336, 359; 1991 a. 39, 316; 1995 a. 27 ss. 296, 297, 9145 (1); 1997 a. 27.

**(2) REVENUE ACCOUNTS.** Place The department shall place revenue estimates on the books of accounts and credit actual receipts against them as of the last day of each quarter. Except as provided in s. 20.002 (2), any receipts applying to a prior fiscal year received between the day after the date for closing of books specified by the secretary under sub. (5) (a) and the next succeeding such date specified by the secretary shall be credited by the secretary to the fiscal year following the year to which the receipts apply. Except in the case of program revenue and continuing appropriations, any refund of a disbursement to a general purpose revenue appropriation, applicable to any prior fiscal year, received between these dates may not be credited to any appropriation but shall be considered as a nonappropriated receipt. General purpose revenue (GPR) earned, as defined in s. 20.001 (4) is not available for expenditure, whether or not applied to the fiscal year in which received.

History: 1971 c. 125, 261; 1973 c. 243; 1975 c. 41 s. 52; 1977 c. 29; 1977 c. 196 s. 130 (3), (4); 1977 c. 272, 273, 418; 1979 c. 34 ss. 65 to 67, 2102 (43) (a); 1981 c. 14; 1983 a. 27 ss. 73, 74, 2202 (42); 1983 a. 368; 1985 a. 29; 1987 a. 399; 1989 a. 31, 336, 359; 1991 a. 39, 316; 1995 a. 27 ss. 296, 297, 9145 (1); 1997 a. 27.

(3) (title) ~~KEEP~~ APPROPRIATION ACCOUNTS. Keep The department shall keep separate accounts of all appropriations authorizing expenditures from the state treasury, which accounts shall show the amounts appropriated, the amounts allotted, the amounts encumbered, the amounts expended, the allotments unencumbered and the unallotted balance of each appropriation.

**History:** 1971 c. 125, 261; 1973 c. 243; 1975 c. 41 s. 52; 1977 c. 29; 1977 c. 196 s. 130 (3), (4); 1977 c. 272, 273, 418; 1979 c. 34 ss. 65 to 67, 2102 (43) (a); 1981 c. 14; 1983 a. 27 ss. 73, 74, 2202 (42); 1983 a. 368; 1985 a. 29; 1987 a. 399; 1989 a. 31, 336, 359; 1991 a. 39, 316; 1995 a. 27 ss. 296, 297, 9145 (1); 1997 a. 27.

**SECTION 24.** 16.52 (13) of the statutes is created to read:

16.52 (13) INFORMATION TECHNOLOGY AND ELECTRONIC COMMUNICATIONS TRANSFERS. The department shall execute transfers between appropriation accounts authorized under s. 22.09 (4) upon direction of the chief information officer.

**SECTION 25.** 16.61 (2) (af) of the statutes is amended to read:

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

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

**SECTION 26.** 16.61 (3n) of the statutes is amended to read:

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

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

**SECTION 27.** 16.70 (4m) and (13) of the statutes are created to read:

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

(13) "Telecommunications" has the meaning given in s. 22.01 (10).

**SECTION 28.** 16.71 (1) of the statutes is amended to read:

16.71 (1) Except as otherwise required under this section and s. 16.78 or as authorized in s. 16.74, the department shall purchase and may delegate to special designated agents the authority to purchase all necessary materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and



contractual services and all other expense of a consumable nature for all agencies. In making any delegation, the department shall require the agent to adhere to all requirements imposed upon the department in making purchases under this subchapter. All materials, services and other things and expense furnished to any agency and interest paid under s. 16.528 shall be charged to the proper appropriation of the agency to which furnished.

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

**SECTION 29.** 16.71 (2m) of the statutes is created to read:

16.71 (2m) The department of administration shall delegate authority to make all purchases for the department of information services to the department of information services. This delegation may not be withdrawn, but the department of information services may elect to make any purchase through the department of administration.

**SECTION 30.** 16.71 (4) of the statutes is amended to read:

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

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

**SECTION 31.** 16.72 (2) (a) of the statutes is amended to read:

16.72 (2) (a) The department of administration shall prepare standard specifications, as far as possible, for all state purchases. By "standard specifications" is meant a specification, either chemical or physical or both, prepared to describe in detail the article which the state desires to purchase, and trade names shall not be used. On the formulation, adoption and modification of any standard specifications,

the department of administration shall also seek and be accorded without cost, the assistance, advice and cooperation of other agencies and officers. Each specification adopted for any commodity shall, insofar as possible, satisfy the requirements of any and all agencies which use it in common. Any specifications for the purchase of materials, supplies, equipment or contractual services for information technology or telecommunications purposes are subject to the approval of the chief information officer.

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

**SECTION 32.** 16.72 (2) (b) of the statutes is amended to read:

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

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

**SECTION 33.** 16.72 (2) (d) of the statutes is amended to read:

16.72 (2) (d) Except as permitted in s. ss. 16.75 (6) (am) and 16.751, to the extent possible, the department and any other designated purchasing agent under s. 16.71 (1) shall write specifications for the purchase of materials, supplies,

commodities, equipment and contractual services so as to permit their purchase from prison industries, as created under s. 303.01 (1).

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

**SECTION 34.** 16.72 (4) (a) of the statutes is amended to read:

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

**SECTION 35.** 16.72 (8) of the statutes is amended to read:

16.72 (8) ~~The division of information technology services of the department of~~ information services may purchase educational technology materials, supplies, equipment or contractual services from orders placed with the department by the technology for educational achievement in Wisconsin board on behalf of school districts, cooperative educational service agencies, technical college districts and the board of regents of the University of Wisconsin System.

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

**SECTION 36.** 16.75 (3t) (a) of the statutes is amended to read:

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

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

**SECTION 37.** 16.75 (3t) (c) (intro.) of the statutes is amended to read:

16.75 (3t) (c) (intro.) The department of corrections shall periodically provide to the department of administration a current list of all materials, supplies, equipment or contractual services, excluding commodities, that are supplied by prison industries, as created under s. 303.01. The department of administration shall distribute the list to all designated purchasing agents under s. 16.71 (1). Prior Except as otherwise provided in sub. (6) (am), prior to seeking bids or competitive sealed proposals with respect to the purchase of any materials, supplies, equipment or contractual services enumerated in the list, the department of administration or any other designated purchasing agent under s. 16.71 (1) shall offer prison industries the opportunity to supply the materials, supplies, equipment or contractual services if the department of corrections is able to provide them at a price comparable to one which may be obtained through competitive bidding or competitive sealed proposals and is able to conform to the specifications, provided the specifications are written in accordance with s. 16.72 (2) (d). If the department of administration or other purchasing agent is unable to determine whether the price of prison industries is comparable, it may solicit bids or competitive proposals before awarding the order or contract. This paragraph does not apply to the printing of the following forms:

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

**SECTION 38.** 16.75 (6) (am) 1. of the statutes is repealed.

**SECTION 39.** 16.75 (6) (am) 2. of the statutes is renumbered 16.75 (6) (am) and amended to read:

16.75 (6) (am) Subsections (1) and (3t) do not apply to ~~major procurements by the department of information services. Annually not later than October 1, the department of information services shall report to the department of administration, in the form specified by the secretary, concerning all procurements made by the department of information services during the preceding fiscal year.~~

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

**SECTION 40.** 16.751 (1) of the statutes is repealed.

**SECTION 41.** 16.751 (2) of the statutes is renumbered 16.751 and amended to read:

**16.751 Information technology purchases by investment board.** The requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m) (g) do not apply to procurements authorized to be made by the investment board under s. 16.78 (1) for information technology purposes.

History: 1999 a. 9.

**SECTION 42.** 16.752 (12) (i) of the statutes is amended to read:

16.752 (12) (i) Paragraph (a) does not apply to major procurements, ~~as defined in s. 16.75 (6) (am) by the department of information services.~~

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

**SECTION 43.** 16.78 of the statutes is amended to read:

**16.78 Purchases from division of information technology department of information services.** (1) Every executive branch agency ~~other than the board of regents of the University of Wisconsin system and an agency making purchases under s. 16.74 shall purchase~~ make all computer purchases of materials, supplies, equipment and contractual services relating to information technology or telecommunications from the division of information technology services in the department of administration information services, unless the division department

grants written authorization to the agency to procure the materials, supplies, equipment or contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment or contractual services from another agency or to provide the materials, supplies, equipment or contractual services to itself. The board of regents of the ~~University of Wisconsin System~~ may purchase computer services from the ~~division of information technology services~~.

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

History: 1991 a. 39.

**SECTION 44.** 16.80 of the statutes is renumbered 22.19.

**SECTION 45.** Subchapter VII of chapter 16 (title) of the statutes is repealed.

**SECTION 46.** 16.97 (intro.) of the statutes is renumbered 22.01 (intro.) and amended to read:

**22.01 Definitions.** (intro.) In this subchapter ~~chapter~~:

History: 1991 a. 39; 1995 a. 27 ss. 312, 314, 316, 406, 406e; 1995 a. 225.

**SECTION 47.** 16.97 (1) to (9) of the statutes are renumbered 22.01 (1) to (9).

**SECTION 48.** 16.97 (10) of the statutes is repealed.

**SECTION 49.** 16.971 (title) and (1) (intro.) of the statutes are renumbered 22.03 (title) and (1) (intro.).

**SECTION 50.** 16.971 (1) (a) of the statutes is repealed.

**SECTION 51.** 16.971 (1m) of the statutes is renumbered 22.03 (1m).

**SECTION 52.** 16.971 (2) (intro.) of the statutes is renumbered 22.03 (2) (intro.) and amended to read:

**22.03 (2) (intro.)** The ~~division~~ department shall:

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

**SECTION 53.** 16.971 (2) (a) of the statutes is renumbered 22.03 (2) (a) and amended to read:

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

**SECTION 54.** 16.971 (2) (am) to (k) of the statutes are renumbered 22.03 (2) (am) to (k).

**SECTION 55.** 16.971 (2) (L) to (m) of the statutes are renumbered 22.03 (2) (L) to (m) and amended to read:

22.03 (2) (L) Require each executive branch agency to adopt, ~~revise biennially,~~ and submit for its approval, in a form specified by the department, no later than March 1 of each year, a strategic plan for the utilization of information technology to carry out the functions of the agency. ~~As a part of each plan, the division shall require each executive branch agency to address the business needs of the agency and to identify all proposed information technology development projects that serve those business needs, the priority for undertaking such projects and the justification for each project, including the anticipated benefits of the project. Each plan shall identify any changes in the functioning of the agency under the plan. The division~~

~~shall consult with the joint committee on information policy and technology in providing guidance for and scheduling of planning by executive branch agencies in the succeeding fiscal year for review and approval under s. 22.13.~~

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

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

(m) Assist in coordination and integration of the plans of executive branch agencies relating to information technology approved under par. (L) and, using these plans and the statewide long-range telecommunications plan under s. ~~16.99~~ 22.41 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the use and application of information technology. The ~~division~~ department shall, no later than September 15 of each even-numbered year, submit the statewide strategic plan to the cochairpersons of the joint committee on information policy and technology and the governor.

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

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

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

**SECTION 56.** 16.971 (2) (n) and (2m) of the statutes are renumbered 22.03 (2)

(n) and (2m).



**SECTION 57.** 16.971 (3) of the statutes is renumbered 22.03 (3) and amended to read:

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

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

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

**SECTION 58.** 16.971 (4) to (6) of the statutes are renumbered 22.03 (4) to (6).

**SECTION 59.** 16.971 (9) of the statutes is renumbered 22.03 (9) and amended to read:

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

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

**SECTION 60.** 16.971 (11) of the statutes is renumbered 22.03 (11) and amended to read:

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

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

**SECTION 61.** 16.973 (title) of the statutes is renumbered 22.05 (title) and amended to read:

**22.05 (title)** ~~Powers of the division of information technology services~~ department.

History: 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 27, 252.

**SECTION 62.** 16.973 (1) of the statutes is renumbered 22.05 (1).

**SECTION 63.** 16.973 (2) (intro.) and (a) to (d) of the statutes are renumbered 22.05 (2) (intro.) and (a) to (d) and amended to read:

22.05 (2) (a) (intro.) The ~~division of information technology services~~ department may:

History: 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 27, 252.

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

History: 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 27, 252.

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

History: 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 27, 252.

(c) (intro.) Provide such supercomputer services to agencies, the federal government, local governmental units and entities in the private sector as the

~~division~~ department considers to be appropriate and as the ~~division~~ department can efficiently and economically provide. The ~~division~~ department may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result of exercising this power. The ~~division~~ department may charge agencies, the federal government, local governmental units and entities in the private sector for services provided to them under this paragraph in accordance with a methodology determined by the ~~secretary~~ chief information officer.

History: 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 27, 252.

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

History: 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 27, 252.

**SECTION 64.** 16.973 (2) (e) of the statutes is renumbered 22.05 (2) (e).

**SECTION 65.** 16.974 (intro.) and (1) of the statutes are renumbered 22.07 (intro.) and (1) and amended to read:

**22.07 (1) Duties of the ~~division of information technology services~~ department.** (intro.) The ~~division of information technology services~~ department shall:

History: 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9, 185.

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

History: 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9, 185.

**SECTION 66.** 16.974 (3) of the statutes is renumbered 22.07 (3).

**SECTION 67.** 16.974 (4) to (6) of the statutes are renumbered 22.07 (4) to (6) and amended to read:

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

History: 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9, 185.

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

History: 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9, 185.

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

History: 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9, 185.

**SECTION 68.** 16.974 (7) of the statutes is renumbered 22.07 (7).

**SECTION 69.** 16.975 of the statutes is renumbered 22.11 and amended to read:

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

History: 1991 a. 39; 1995 a. 27.

**SECTION 70.** 16.979 of the statutes is renumbered 16.006.

**SECTION 71.** Subchapter IX of chapter 16 (title) of the statutes is repealed.

**SECTION 72.** 16.99 (title) of the statutes is renumbered 22.41 (title).

**SECTION 73.** 16.99 (1) of the statutes is repealed.

**SECTION 74.** 16.99 (2) (intro.) and (a) of the statutes are renumbered 22.41 (2) (intro.) and (a) and amended to read:

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

(a) (intro.) Develop and maintain a statewide long-range telecommunications plan, which will serve as a major element for budget preparation, as guidance for technical implementation and as a means of ensuring the maximum use of shared systems by ~~departments~~ agencies when this would result in operational or economic improvements or both.

History: 1977 c. 418; 1993 a. 246; 1997 a. 150.

**SECTION 75.** 16.99 (2) (b) to (e) of the statutes are renumbered 22.41 (2) b) to (e).

**SECTION 76.** 16.99 (2) (f) of the statutes is renumbered 22.41 (2) (f) and amended to read:

22.41 (2) (f) Perform the functions of agency telecommunications officer for those ~~departments~~ agencies with no designated focal point for telecommunications planning, coordination, technical review and procurement.

History: 1977 c. 418; 1993 a. 246; 1997 a. 150.

**SECTION 77.** 16.99 (3) of the statutes is renumbered 22.41 (3).

**SECTION 78.** 19.36 (4) of the statutes is amended to read:

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

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

**SECTION 79.** 20.225 (1) (kb) of the statutes is amended to read:

20.225 (1) (kb) *Emergency weather warning system operation.* From the moneys received by the department of ~~administration~~ information services for the provision of state telecommunications and data processing services and sale of telecommunications and data processing inventory items primarily to state

agencies, the amounts in the schedule for the operation of the emergency weather warning system under s. 39.11 (21).

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

**SECTION 80.** 20.275 (1) (s) of the statutes is amended to read:

20.275 (1) (s) *Telecommunications access; school districts; grant.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of ~~administration~~ information services under s. ~~16.974~~ 22.07 (7) (a) to the extent that the amounts due are not paid from the appropriation under s. ~~20.505~~ 20.530 (1) (is) and, prior to July 1, 2002, to make grants to school districts under s. 44.73 (6) and, in the 1999-2000 fiscal year, to award a grant to the distance learning network under 1999 Wisconsin Act 9, section 9148 (4w).

**History:** 1997 a. 27, 237; 1999 a. 9.

**SECTION 81.** 20.275 (1) (t) of the statutes is amended to read:

20.275 (1) (t) *Telecommunications access; private and technical colleges and libraries.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of ~~administration~~ information services under s. ~~16.974~~ 22.07 (7) (b) to the extent that the amounts due are not paid from the appropriation under s. ~~20.505~~ 20.530 (1) (is).

**History:** 1997 a. 27, 237; 1999 a. 9.

**SECTION 82.** 20.275 (1) (tm) of the statutes is amended to read:

20.275 (1) (tm) *Telecommunications access; private schools.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of ~~administration~~ information services under s. ~~16.974~~ 22.07 (7) (c) to the extent that



the amounts due are not paid from the appropriation under s. ~~20.505~~ 20.530 (1) (is) and, prior to July 1, 2002, to make grants to private schools under s. 44.73 (6).

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

**SECTION 83.** 20.275 (1) (tu) of the statutes is amended to read:

20.275 (1) (tu) *Telecommunications access; state schools.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of ~~administration~~ information services under s. ~~16.974~~ 22.07 (7) (d) to the extent that the amounts due are not paid from the appropriation under s. ~~20.505 (1) (kL)~~ 20.530 (1) (ke).

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

**SECTION 84.** 20.505 (1) (im) of the statutes is amended to read:

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

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

**SECTION 85.** 20.505 (1) (is) of the statutes is renumbered 20.530 (1) (is) and amended to read:

20.530 (1) (is) *Information technology processing services to General program operations; services to nonstate entities.* All moneys received from local governmental units and entities in the private sector for provision of computer services, telecommunications services and supercomputer services under s. ~~16.973~~ 22.05 (2)

(b) and (c) or under s. 44.73 (2) (d), and all moneys received from assessments under s. 196.858 for a statewide telecommunications relay service, to be used for the purpose of providing those services and for the general program operations of the department.

**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; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

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

**SECTION 86.** 20.505 (1) (ja) of the statutes is renumbered 20.530 (1) (ja) and amended to read:

20.530 (1) (ja) *Justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. ~~16.971~~ 22.03 (9). Two-ninths of the moneys received under s. 814.635 (1) shall be credited to this appropriation account.

**History:** 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

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

**SECTION 87.** 20.505 (1) (ke) of the statutes is renumbered 20.530 (1) (ke) and amended to read:

20.530 (1) (ke) ~~*Telecommunications and data processing General program operations; services to state agencies.*~~ The amounts in the schedule to provide state telecommunications services and data processing oversight and management services and telecommunications and data processing inventory items primarily to state agencies and to provide for the initial costs of establishment and operation of the division of information technology services. All moneys received from the provision of state information technology processing and telecommunications and

~~data processing services and sale of telecommunications and data processing inventory items primarily to state agencies under ss. 22.05 and 22.07 or under s. 44.73 (2) (d), other than moneys received and disbursed under par. (kL) and s. 20.225 (1) (kb), and all reimbursements of advances received by the division of information technology services shall be credited to this appropriation account all moneys received from the provision of information technology development and management services to executive branch agencies under s. 22.03, and all moneys transferred to this appropriation account from any other appropriation account under s. 22.09 (4), to be used for the purpose of providing those services and for the general program operations of the department.~~

**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; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

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

**SECTION 88.** 20.505 (1) (kL) of the statutes is repealed.

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

**SECTION 89.** 20.505 (1) (kp) of the statutes is renumbered 20.530 (1)(kp) and amended to read:

20.530 (1) (kp) *Interagency assistance; justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. 16.971 (9). All moneys transferred from the appropriation account under sub. s. 20.505 (6) (kt) and (pc) shall be credited to this appropriation account.

**History:** 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

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

**SECTION 90.** 20.505 (1) (kq) of the statutes is renumbered 20.530 (1) (kq) and amended to read:

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

**History:** 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

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

**SECTION 91.** 20.505 (1) (kr) of the statutes is repealed.

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

**SECTION 92.** 20.505 (4) (is) of the statutes is repealed.

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

**SECTION 93.** 20.505 (6) (j) 12. of the statutes is amended to read:

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

**History:** 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 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; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

**SECTION 94.** 20.530 of the statutes is created to read:

**20.530 Information services, department of.** There is appropriated to the department of information services for the following program:

**(1) INFORMATION TECHNOLOGY MANAGEMENT AND SERVICES.** (g) *Gifts, grants and bequests.* All moneys received from gifts, grants and bequests, to be used to carry out the purposes for which made and received.

(it) *Electronic communication services; nonstate entities.* All moneys received from entities in the private sector for electronic communications services provided to those entities by the department under s. 22.09 (3), to be used for the purpose of providing those services.

(kf) *Electronic communications services; state agencies.* All moneys received from state agencies for electronic communications services provided to the agencies by the department under s. 22.09 (3), and all moneys transferred to this appropriation account from any other appropriation account under s. 22.09 (4), to be used for the purpose of providing those services.

(m) *Federal aid.* All moneys received from the federal government, as authorized by the governor under s. 16.54, to be used for the purposes for which received.

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

**SECTION 95.** 20.680 (2) (kd) of the statutes is amended to read:

20.680 (2) (kd) *Court operations information technology.* The amounts in the schedule to provide information technology development and management services to the court system. All moneys transferred from the appropriation account under s. ~~20.505~~ 20.530 (1) (ja) shall be credited to this appropriation account.

History: 1971 c. 125, 215; 1971 c. 254 s. 19; 1973 c. 90; 1975 c. 37; 1977 c. 26, 29; 1977 c. 187 s. 135; 1977 c. 418; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 34; 1981 c. 20; 1983 a. 27, 158; 1985 a. 29, 340; 1987 a. 27, 399; 1989 a. 31; 1991 a. 32, 39, 269; 1993 a. 16, 491; 1995 a. 27; 1997 a. 27; 1999 a. 9.

**SECTION 96.** 20.903 (2) (b) of the statutes is amended to read:

20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and, 20.505 (1) (im), (ka), (kb), (kc) and (kd) and 20.530 (1) (is), (it), (ke) and (kf) in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. 20.370 (8) (mt), 20.395 (4) (cq), (er) and (es) ~~and~~, 20.505

(1) (im), (ka), (kb), (kc) and (kd) and 20.530 (1) (is), (it), (ke) and (kf). The secretary of administration may require such statements of assets and liabilities as he or she deems necessary before approving expenditure estimates in excess of the unexpended moneys in the appropriation account.

**History:** 1971 c. 40 s. 93; 1971 c. 125; 1973 c. 90; 1975 c. 224; 1977 c. 29, 418; 1979 c. 34, 221; 1981 c. 20, 317; 1983 a. 27; 1985 a. 29; 1987 a. 27, 399; 1989 a. 31, 125, 359; 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 27.

**SECTION 97.** 20.923 (4) (e) 1b. of the statutes is renumbered 20.923 (4) (e) 4m. and amended to read:

20.923 (4) (e) 4m. Administration Information services, department of; technology for educational achievement in Wisconsin board: executive director.

**History:** 1971 c. 18, 125, 164; 1971 c. 270 ss. 98, 104; 1971 c. 307, 321; 1973 c. 90, 156, 243, 333; 1975 c. 28; 1975 c. 39 ss. 236c to 247, 735 (5); 1975 Ex. Order No. 24; 1975 c. 189, 199, 224, 422; 1977 c. 29 ss. 399g to 406d, 1649, 1650m, 1654 (8) (e), 1656 (43); 1977 c. 44; 1977 c. 187 ss. 29, 30, 31, 135; 1977 c. 196 ss. 74 to 76m, 131; 1977 c. 203, 272, 277, 418, 447, 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 32 s. 92 (1); 1979 c. 34, 89, 189; 1979 c. 221 ss. 201m to 218, 2202 (13); 1979 c. 361; 1981 c. 20 ss. 587 to 592g, 2202 (33) (b), (c), (56) (a); 1981 c. 96 ss. 16, 67; 1981 c. 121, 127, 347, 353; 1981 c. 390 s. 252; 1983 a. 27, 46, 121, 192, 371, 378; 1985 a. 18, 23; 1985 a. 29 ss. 603 to 607, 3202 (22) (a); 1985 a. 34, 332; 1987 a. 6, 27, 82, 119, 306, 340, 354, 399, 403; 1989 a. 31, 56, 107, 208, 219, 336; 1991 a. 39, 269; 1993 a. 12, 16, 75, 123, 144, 184, 294, 349, 399, 490; 1995 a. 27 ss. 1193 to 1217m, 9130 (4), 9216 (19); 1995 a. 37, 216, 225; 1997 a. 2, 3, 27, 29, 41, 194, 237; 1999 a. 9, 42, 102, 186.

**SECTION 98.** 20.923 (4) (h) 2. of the statutes is created to read:  
20.923 (4) (h) 2. Information services, department of: secretary (chief information officer).

**SECTION 99.** Chapter 22 (title) of the statutes is created to read:

**CHAPTER 22**

**DEPARTMENT OF INFORMATION SERVICES**

**SECTION 100.** 22.01 (2m), (5), (6m) and (10) of the statutes are created to read:

22.01 (2m) "Board" means the information technology management board.

(5) "Department" means the department of information services.

(6m) "Information technology portfolio" means information technology systems, applications, infrastructure and information resources and human resources devoted to developing and maintaining information technology systems.

(10) "Telecommunications" means all services and facilities capable of transmitting, switching or receiving information in any form by wire, radio or other electronic means.

**SECTION 101.** 22.05 (2) (f) to (h) of the statutes are created to read:

22.05 (2) (f) Acquire, operate and maintain any information technology equipment or systems required by the department to carry out its functions, and provide information technology development and management services related to those information technology systems. The department may assess executive branch agencies for the costs of equipment or systems acquired, operated, maintained or provided or services provided under this paragraph in accordance with a methodology determined by the chief information officer. The department may also charge any agency for such costs as a component of any services provided by the department to the agency.

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

(h) Accept gifts, grants and bequests, to be used for the purposes for which made, consistently with applicable laws.

**SECTION 102.** 22.09 of the statutes is created to read:

**22.09 Powers of the chief information officer.** The chief information officer may:

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

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

(3) Develop or operate and maintain any system or device facilitating Internet or telephone access to information about programs of agencies or entities in the private sector, or otherwise permitting the transaction of business by agencies or entities in the private sector by means of electronic communication. The chief information officer may assess executive branch agencies for the costs of systems or devices that are developed, operated or maintained under this paragraph in accordance with a methodology determined by the officer. The chief information officer may also charge any agency or entity in private sector for such costs as a component of any services provided by the department to that agency or entity.

(4) Notwithstanding ss. 20.115 to 20.585, transfer moneys from the unencumbered balance in the account for any appropriation made to any executive branch agency to the appropriation account under s. 20.530 (1) (ke) or (kf) or any other account for an appropriation made to an executive branch agency, without consent of any affected executive branch agency, for the purpose of facilitating more efficient or effective funding of information technology or electronic communications services within the executive branch of state government, if the transfer is consistent with state and federal law and with any requirement imposed by the federal government as a condition to receipt of aids by this state. If any transfer under this subsection is made to or from a sum certain appropriation, the amount in the



schedule for the account from which the transfer is made for the period during which the transfer is made is decreased by the amount transferred and the amount in the schedule for the account to which the transfer is made for the period during which the transfer is made is increased by the amount transferred.

**SECTION 103.** 22.13 of the statutes is created to read:

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

(2) Each proposed strategic plan shall separately identify the initiatives that the executive branch agency plans to undertake from resources available to the agency at the time that the plan is submitted and initiatives that the agency proposes to undertake that would require additional resources.

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

the proposed plan and provide the chief information officer with its recommendations concerning the plan.

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

(5) No executive branch agency may implement a new or revised information technology development project authorized under a strategic plan until the implementation is approved by the chief information officer in accordance with procedures prescribed by the officer.

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

**SECTION 104.** 22.15 of the statutes is created to read:

**22.15 Information technology portfolio management.** With the assistance of executive branch agencies and the advice of the board, the department shall manage the information technology portfolio of state government in accordance with a management structure that includes:

- (1) Criteria for selection of information technology assets to be managed.
- (2) Methods for monitoring and controlling information technology development projects and assets.
- (3) Methods to evaluate the progress of information technology development projects and the effectiveness of information technology systems, including performance measurements for the information technology portfolio.

**SECTION 105.** 22.17 of the statutes is created to read:

**22.17 Information technology management board.** (1) The board shall provide the chief information officer with its recommendations concerning any elements of the strategic plan of an executive branch agency that are referred to the board under s. 22.13 (3).

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

(3) The board may, upon petition of an executive branch agency, review any decision of the chief information officer under s. 16.505 (2e) or this chapter affecting that agency. Upon review, the board may affirm, modify or set aside the decision. If the board modifies or sets aside the decision of the chief information officer, the decision of the board stands as the decision of the chief information officer and the decision is not subject to further review or appeal.

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

**SECTION 106.** 29.038 (1) (a) of the statutes is amended to read:

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

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

**SECTION 107.** 36.25 (38) (b) 6. of the statutes is amended to read:

36.25 (38) (b) 6. To pay the department of ~~administration~~ information services for telecommunications services provided under s. ~~16.973~~ 22.05 (1).

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

**SECTION 108.** 44.70 (2) of the statutes is amended to read:

44.70 (2) "Department" means the department of ~~administration~~ information services.

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

**SECTION 109.** 44.70 (4) of the statutes is amended to read:

44.70 (4) "Telecommunications" has the meaning given in s. ~~16.99~~ 22.41 (1).

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

**SECTION 110.** 44.71 (2) (a) 7. and 8. of the statutes are amended to read:

44.71 (2) (a) 7. Coordinate the purchasing of educational technology materials, supplies, equipment and contractual services for school districts, cooperative educational service agencies, technical college districts and the board of regents of the University of Wisconsin System by the department under s. 16.72 (8), and, ~~in~~ cooperation with the approval of the department, establish standards and specifications for purchases of educational technology hardware and software by school districts, cooperative educational service agencies, technical college districts and the board of regents of the University of Wisconsin System.

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

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

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

**SECTION 111.** 44.73 (1) of the statutes is amended to read:

44.73 (1) Except as provided in s. 196.218 (4t), the board, ~~in consultation~~ with the approval of the department, shall promulgate rules establishing an educational

telecommunications access program to provide educational agencies with access to data lines and video links.

History: 1999 a. 9 ss. 2318, 2323 to 2329.

**SECTION 112.** 44.73 (3) of the statutes is amended to read:

44.73 (3) The board shall submit an annual report to the department on the status of providing data lines and video links that are requested under sub. (2) (a) and the impact on the universal service fund of any payment under contracts under s. ~~16.974~~ 22.07 (7).

History: 1999 a. 9 ss. 2318, 2323 to 2329.

**SECTION 113.** 44.73 (6) of the statutes is amended to read:

44.73 (6) From the appropriation under s. 20.275 (1) (s) or (tm), the board may award an annual grant to a school district or private school that had in effect on October 14, 1997, a contract for access to a data line or video link, as documented by the board. The board shall determine the amount of the grant, which shall be equal to the cost incurred by the state to provide telecommunications access to a school district or private school under a contract entered into under s. ~~16.974~~ 22.07 (7) (a) or (c) less the amount that the school district or private school would be paying under sub. (2) (d) if the school district or private school were participating in the program established under sub. (1), except that the amount may not be greater than the cost that a school district or private school incurs under the contract in effect on October 14, 1997. A school district or private school receiving a grant under this subsection is not eligible to participate in the program under sub. (1). No grant may be awarded under this subsection after June 30, 2002.

History: 1999 a. 9 ss. 2318, 2323 to 2329.

**SECTION 114.** 85.12 (3) of the statutes is amended to read:

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

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

**SECTION 115.** 196.218 (4t) of the statutes is amended to read:

196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The commission, in consultation with the department of administration information services and the technology for educational achievement in Wisconsin board, shall promulgate rules specifying the telecommunications services eligible for funding through the educational telecommunications access program under s. 44.73.

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

**SECTION 116.** 196.218 (5) (a) 5. of the statutes is amended to read:

196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 22.07 (7) to the extent that these costs are not paid under s. 44.73 (2) (d).

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

**SECTION 117.** 196.218 (5) (a) 6. of the statutes is amended to read:

196.218 (5) (a) 6. To pay the department of ~~administration~~ information services for telecommunications services provided under s. ~~16.973~~ 22.05 (1) to the campuses of the University of Wisconsin System at River Falls, Stout, Superior and Whitewater.

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

**SECTION 118.** 196.858 (1) of the statutes is amended to read:

196.858 (1) The commission shall annually assess against local exchange and interexchange telecommunications utilities ~~the total, not to exceed \$5,000,000, of the amounts appropriated under s. 20.505 (4) (is).~~

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

**SECTION 119.** 196.858 (2) of the statutes is amended to read:

196.858 (2) The commission shall assess a sum equal to the annual total amount under sub. (1) to local exchange and interexchange telecommunications utilities in proportion to their gross operating revenues during the last calendar year. If total expenditures for telephone relay service exceeded the payment made under this section in the prior year, the commission shall charge the remainder to assessed telecommunications utilities in proportion to their gross operating revenues during the last calendar year. A telecommunications utility shall pay the assessment within 30 days after the bill has been mailed to the assessed telecommunication utility. The bill constitutes notice of the assessment and demand of payment. Payments shall be credited to the appropriation account under s. ~~20.505 (4)~~ 20.530 (1) (is).

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

**SECTION 120.** 221.0320 (3) (a) of the statutes is amended to read:

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

History: 1995 a. 336

**SECTION 121.** 230.08 (2) (e) 1. of the statutes is amended to read:

230.08 (2) (e) 1. Administration — ~~12~~ 10.

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

**SECTION 122.** 230.08 (2) (e) 6m. of the statutes is created to read:

230.08 (2) (e) 6m. Information services 3.

**SECTION 123.** 230.09 (2) (g) of the statutes is amended to read:

230.09 (2) (g) When filling a new or vacant position, if the secretary determines that the classification for a position is different than that provided for by the legislature as established by law or in budget determinations, or as authorized by the joint committee on finance under s. 13.10, or as specified by the governor creating positions under s. 16.505 (1) (c) or (2), the chief information officer transferring

positions under s. 16.505 (2e), the University of Wisconsin Hospitals and Clinics Board creating positions under s. 16.505 (2n) or the board of regents of the University of Wisconsin System creating positions under s. 16.505 (2m), or is different than that of the previous incumbent, the secretary shall notify the administrator and the secretary of administration. The administrator shall withhold action on the selection and certification process for filling the position. The secretary of administration shall review the position to determine that sufficient funds exist for the position and that the duties and responsibilities of the proposed position reflect the intent of the legislature as established by law or in budget determinations, the intent of the joint committee on finance acting under s. 13.10, the intent of the governor creating positions under s. 16.505 (1) (c) or (2), the chief information officer transferring positions under s. 16.505 (2e), the University of Wisconsin Hospitals and Clinics Board creating positions under s. 16.505 (2n) or the intent of the board of regents of the University of Wisconsin System creating positions under s. 16.505 (2m). The administrator may not proceed with the selection and certification process until the secretary of administration has authorized the position to be filled.

History: 1971 c. 270 ss. 16, 26; 1977 c. 196 ss. 32, 109, 130 (5); 1977 c. 272, 273, 418; 1981 c. 20; 1983 a. 27 ss. 1609b to 1610, 2200 (15); 1985 a. 29, 120; 1987 a. 27, 403; 1989 a. 39; 1991 a. 315; 1995 a. 27.

**SECTION 124.** 283.84 (1) (c) of the statutes is amended to read:

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

History: 1997 a. 27.

**SECTION 125.** 758.19 (7) of the statutes is amended to read:

758.19 (7) The director of state courts shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information policy and technology, the



governor and the ~~secretary of administration~~ department of information services, no later than September 15 of each even-numbered year, a strategic plan for the utilization of information technology to carry out the functions of the courts and judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the business needs of the courts and judicial branch agencies and shall identify all resources relating to information technology which the courts and judicial branch agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also identify any changes in the functioning of the courts and judicial branch agencies under the plan.

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.19; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449; Stats. 1977 s. 758.19; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1981 c. 96; 1983 a. 27; 1985 a. 29, 340; 1989 a. 31; 1991 a. 32, 39; 1993 a. 16, 206, 437, 491; 1995 a. 27, 77, 201, 225, 417; 1997 a. 27, 227, 1999 a. 9, 29.

**SECTION 9101 Nonstatutory provisions; administration?**

(1) TRANSFER OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS FUNCTIONS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of administration that are primarily related to its information technology or telecommunications functions, as determined by the secretary of administration, shall become assets and liabilities of the department of information services, as created by this act.

(b) *Positions and employes.* 1. On the effective date of this subdivision, all full-time equivalent positions in the department of administration having duties that are primarily related to its information technology or telecommunications functions, as determined by the secretary of administration, are transferred to the department of information services, as created by this act.

## STATE GOVERNMENT

### OTHER STATE GOVERNMENT

This bill creates a department of information services (DOIS). The bill transfers all existing functions of DOA relating to information technology and telecommunications to DOIS and creates a number of new functions for DOIS. The bill grants DOIS broad powers to manage the state's information technology and telecommunications systems. Under the bill, the secretary of information services, who serves as department head, is titled the "chief information officer". The officer is appointed by the governor to serve at his or her pleasure. The officer appoints the staff of DOIS. The staff includes a deputy, executive assistant and 3 division administrators outside the classified service.

The bill also creates an information technology management board which is attached to DOIS. The board consists of the governor, chief information officer, secretary of administration and two heads of state executive branch agencies and two other public officers or employees appointed by the governor. The two public officers or employees serve for staggered 4-year terms. The board advises DOIS, monitors progress in attaining the state's information technology goals and hears appeals by executive branch agencies of actions of the officer. The board may affirm, modify or set aside any such action.

Currently, the TEACH board is attached to DOA. The board provides grants, loans and other assistance to schools and other educational institutions in this state to aid in the installation of educational technology equipment and for the training of educators to use the technology. This bill attaches the TEACH board to DOIS and makes purchases of materials, supplies, equipment or services by the board subject to the approval of DOIS.

The bill directs DOIS, with the assistance of executive branch agencies and the advice of the board, to manage the information technology portfolio of state government to meet specified criteria. The portfolio includes information technology systems, applications, infrastructure and information resources and human resources devoted to developing and maintaining information technology systems.

Currently, executive branch agencies are required to prepare, revise and submit annually to DOA for its approval, an information technology strategic plan that details how the agency plans to use information technology to serve its needs and those of its clients. This bill makes proposed strategic plans of executive branch agencies subject to approval of the chief information officer, with the advice of the board. The bill precludes the secretary of administration from including in the biennial budget compilation for presentation to the governor provision for development or implementation of any information technology project that is not consistent with the approved strategic plan of the agency.

The bill permits DOIS to acquire, operate or maintain any information technology equipment or systems required by DOIS to carry out its functions and to provide information technology development and management services related to those systems. Under the bill, DOIS may assess executive branch agencies for the

costs of equipment or systems acquired, operated, maintained or provided or services provided and may also charge legislative and judicial agencies for these costs as a component of any services provided by DOIS to these agencies. The bill also permits DOIS to assume direct responsibility for the planning and development of any information technology system in the executive branch of state government that the chief information officer determines to be necessary to effectively develop or manage the system, with or without consent of any affected agency. The bill permits DOIS to charge any executive branch agency for its reasonable costs incurred on behalf of the agency in carrying out this function.

Currently, DOA must provide computer services to state agencies in the executive, legislative and judicial branches. DOA may also provide telecommunications services to those agencies and computer or telecommunications services to local governments and private schools, postsecondary institutions, museums and zoos. DOA may also provide supercomputer services to state agencies, local governments and entities in the private sector. Under this bill, DOIS may enter into an agreement to provide computer services to any entity in the private sector. DOIS may also develop and operate or maintain any system or device facilitating Internet or telephone access to information about programs of agencies or entities in the private sector by means of electronic communication and may assess or charge agencies and entities in the private sector for its costs of development, operation or maintenance on the same basis that DOIS assesses or charges for information technology equipment or systems.

The bill appropriates to DOIS all revenues received from assessments or charges, without limitation, for the purpose of carrying out its functions. The bill also appropriates general purpose revenue to DOIS equivalent to the depreciated value of its equipment.

Currently, the number of full-time equivalent (FTE) positions for each state agency within each revenue source is fixed by law or by the governor, JCF or the legislature in budget determinations. Program-revenue funded positions may be adjusted by the governor with the concurrence of JCF and federally funded positions may be adjusted by the governor alone. This bill permits the chief information officer to transfer any number of FTE positions having responsibilities related to information technology or telecommunications from any executive branch agency to DOIS or any other executive branch agency and to transfer the funding source for any position from one source to another for the purpose of carrying out the functions of DOIS. Upon transfer of any position, the incumbent in that position is also transferred without loss of pay, fringe benefits or seniority privileges. Under the bill, the secretary of administration provides to JCF a quarterly report of the position changes made by the chief information officer. The bill also permits the officer to transfer moneys from the appropriation account for any appropriation made to an executive branch agency, without consent of the agency, for the purpose of facilitating more efficient and effective funding of information technology or electronic communications resources within the executive branch of state government. Under the bill, any transfer of positions or funding may not be made if it would be

inconsistent with state or federal law or any requirement imposed by the federal government as a condition to receipt of aids by this state.

Currently, every executive branch agency, other than the board of regents of the UW system, is required to purchase computer services from DOA, unless DOA grants permission to the agencies to procure the services from a private source or from another agency, or to provide the services to itself. This bill provides that every executive branch agency, including the board of regents of the UW system, must purchase all materials, equipment, supplies and services relating to information technology or telecommunications from DOIS, unless DOIS grants permission to the agency to procure the materials, supplies, equipment or services from a private source or form another agency, or to provide the materials, supplies, equipment or services to itself.

Currently, subject to numerous exceptions, state agencies are generally required to make purchases through solicitation of bids or competitive sealed proposals preceded by public notice, and to allow DOC the opportunity to provide the materials, supplies, equipment or services under certain conditions if DOC is able to do so. These requirements do not apply to purchases by the division of information technology services of DOA relating to the functions of the division. This bill provides that these requirements do not apply to purchases of any materials, supplies, equipment or services by DOIS.

Currently, executive branch agencies must make purchases through DOA unless DOA delegates direct purchasing authority to the agencies. DOA prescribes standard specifications for state purchases which agencies are generally required to incorporate into purchasing orders and contracts when appropriate. Under this bill, DOA must delegate authority to DOIS to make all of its purchases independently of DOA, and any standard specifications prescribed by DOA for the purchase of materials, supplies, equipment or services for information technology or telecommunications purposes are subject to approval of the chief information officer.

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

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

LRB-1857/1dn  
JTK.....

Dan Caucutt:

1. This draft creates a new department of information services (DOIS). Concerning nomenclature, established policy under ch. 15, stats. is to have heads of departments use the title "secretary". This draft uses the term "chief information officer" to describe the secretary of information services, but also makes clear that the officer is the secretary of the department so that the secretary will exercise the powers and responsibilities of other secretaries. While it is not helpful from a standpoint of statutory clarity to use a title other than "secretary", it should not cause much legal confusion because no other agency head has the title "officer". However, the proposed "Information technology management commission" would engender legal difficulties in that this body has all the attributes of a board and none of the specific attributes of a commission. Use of the wrong term would also necessitate amendment of a variety of statute to provide that this commission is not really a commission but actually a board. Therefore, this draft adheres to current nomenclature with respect to this board.

2. The default option (unstated in this draft) is for the chief information officer, as head of a department, to be appointed by the governor to serve at his or her pleasure, subject to senate confirmation. The default option for members of an attached board, like the information technology management board, is for members to be appointed by the governor without senate confirmation. Because 5 of the 7 members of this board are ex officio members, senate confirmation would only make sense for 2 of the 7 members. In accordance with the usual practice, I have, however, staggered the terms of these 2 members. Please let me know if this is not in accord with your intent.

3. The attachment of one department (the proposed DOIS) to another department (DOA) is without precedent and would unnecessarily introduce a variety of novel legal issues. In addition, in this case, there are two bodies that are to be attached to the body that is being attached. It is relatively common for agencies with powers but without staff, or without sufficient staff, to contract with DOA (or, with DOA's permission, to contract with others) for support services. If the employees who are envisioned to perform the support services would not have a policy-making role, this should not pose a problem. Because, in this case, the instructions specified that DOA must provide staffing, this draft provides in proposed s. 22.07 (2) that DOIS must contract with DOA for any support services it requires. This also provides ongoing flexibility in future

budget bills to phase out DOA staffing and bring the necessary staffing in house, which is the established pattern with other major state agencies. Please let me know if you see any problems with this approach.

4. Although the instructions did not include mention of it, this draft transfers the TEACH board to DOIS and attaches that board to DOIS under s.15.03, stats. There are a number of technology-related statutes that tie this board to DOA at present, and since under this draft DOA will have a greatly reduced information technology capacity, it did not make sense to me to maintain the present relationship. If DOIS cannot provide support staff for this board, it can use proposed s. 22.07 (2) to solve that problem.

5. So that we can include a salary component in the draft, I have arbitrarily assigned the position of chief information officer to executive salary group 8, which is the same as the group to which the secretary of administration's position is assigned. Substitute a different group if you wish. I have also eliminated 2 unclassified division administrators from DOA (reflecting the divisions of DOA that are eliminated by this draft) and created 3 unclassified division administrator positions in DOIS. Although they are not mentioned in the draft, the deputy and executive assistant are authorized under ss. 15.04 (2) and 15.05 (3), stats. We need not worry about the salaries of the division administrators, the deputy and the executive assistant statutorily, because the salaries for these positions are set through a statutory procedure.

6. Although you did not request it, I have included a federal aid appropriation for DOIS in this draft. I did this because all major state agencies have these appropriations and it is not unlikely that the appropriation will be needed at some point.

7. Proposed s. 16.505 (2e), relating to transfer of positions, and proposed s.22.09 (4), relating to transfer of appropriation balances, provide that positions and balances may not be transferred if state or federal law otherwise requires or if the federal government otherwise requires as a condition to receipt of federal aid by this state. A typical requirement for receipt of federal aid is for this state to designate a *single state agency* to administer the program under which the aid is received. This may preclude a transfer of positions or appropriation balances in some cases.

8. The instructions stated in one place in essence that strategic plans should be based upon current appropriation levels, but also stated that the plans should include any new items to be included in biennial budget requests. Because this seemed inconsistent and because I would think the plans would necessarily sometimes entail the commitment of additional resources, I have provided in proposed s. 22.04 (2) that the plans should separately identify the initiatives that can be undertaken from currently available resources and those that cannot be undertaken without additional resources.

9. The instructions specified that the secretary of administration [may] [shall] disapprove budget requests that are inconsistent with strategic plans. This draft provides in its treatment of s. 16.43, stats. that the secretary *shall not* include such requests in the budget compilation for the reasons that 1) it would be surplusage to provide that the secretary *may* refuse to include the requests, since that is current law; and 2) if necessary, the governor can always include requests that are inconsistent with

the plans in the budget bill if he or she chooses and we can't legislate that prerogative away from the governor.

10. If any agency, upon reviewing the concerns of the chief information officer submitted under proposed s. 22.04 (3), wants to change its proposed plan, may the agency submit a revised plan at any point in this process?

11. Under proposed s. 22.04 (4), this draft provides that the chief information officer may approve or disapprove a proposed strategic plan of an agency in whole or in part. To what extent, if any, may the officer force an agency to revise its plan, or is the officer's power only to accept or reject the component parts? Alternatively, can the officer say to the agency, in effect, "If you will agree to revise your plan along these lines, then I'll approve it."?. If so, is there a revision timetable at that point?

12. Concerning portfolio management (proposed s. 22.13), you reference the federal Clinger-Cohen Act of 1996 [40 USC ss. 1492 and 1501], which describes "streamlined" contracting procedures under 2 pilot programs. I have not included any reference to the procedures outlined in these provisions in this draft because if DOIS has the authority to use them, they do not need to be specifically referenced, and if not, we need to look at which specific state laws stand in the way and amend them. Much of the federal language has reference to federal law that would otherwise govern or federal governmental structure, which is different from Wisconsin's. In general, however, the approach seems to be similar to the current competitive sealed proposal procedure under s 16.75 (2m), stats. It should also be noted that some procurement functions in Wisconsin are already conducted on line and if both parties are willing, it is currently possible to engage in procurement transactions electronically under s. 137.05, stats. If the language in the draft and current law are not sufficient, we need to discuss the specific types of provisions that are required to meet your needs.

13. Proposed s. 22.17 (3) provides for the information technology management board to consider appeals of decisions of the chief information officer filed by executive branch agencies. Under proposed s. 15.235 (1), the chief information officer is a member of the board. Should the officer sit as a member of the review panel that reviews the officer's own actions?

14. Per the instructions, this draft deletes s. 20.505 (1) (is), (ke), (kL) and (kr) and (4) (is), stats. The draft also merges s. 20.505 (1) (is) and (4) (is), stats. to form a new appropriation, proposed s. 20.530 (1) (is), and merges s. 20.505 (1) (ke), (kL) and (kr), stats. to form a new appropriation, proposed s. 20.530 (1) (ke). I could not merge all of these appropriations into one account because the first two are PR appropriations and the last three are PR-S appropriations. Similarly, the draft creates two parallel appropriations for electronic communications services: proposed s. 20.530 (1) (it) for private sector revenues and proposed s. 20.530 (1) (kf) for state agency revenues. The draft also retains three existing appropriations relating to justice information systems: s. 20.505 (1) (ja), stats. as proposed s. 20.530 (1) (ja), s. 20.505 (1) (kp), stats. as proposed 20.530 (1) (kp) and 20.505 (1) (kq), stats. as proposed s. 20.530 (1) (kp).

15. Note that the merger of s. 20.505 (1) (is) and (4) (is), stats. potentially affects the amount of the annual assessment of telecommunications utilities under s. 196.858,

stats. because the amounts in the schedule for s.20.505 (4) (is), stats. are eliminated under the draft. As I read this statute, the assessment is effectively a tax, so we cannot delegate to the public service commission the power to levy it. For this reason, you may want to retain a separate appropriation here or levy the assessment on the basis of some percentage of gross annual operating revenues or something similar.

16. Currently, ss. 16.97 (10) and 16.99 (1), stats. both define "telecommunications" but do so in different ways. This draft adopts the definition in s. 16.99 (1), stats., which appears to be more precise. See proposed s. 22.01 (10).

17. The analysis describes the changes to procurement laws made by this draft. I had to make some judgement calls, particularly as this draft affects the TEACH board, but I think the treatment of these laws generally reflects your intent to give DOIS a leadership role in information technology and telecommunications procurement. Under current law, the TEACH board has major role in informational technology and telecommunications procurement affecting schools and other educational agencies.

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