



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1857/1

JTK:ch

NOTE

Today By 4 p.m.

Kmg

RMR

DOA:.....Caucutt - Department of Information Services

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

2

To Editing 1/29

~~DOA~~

1 Fix Request Sheet
2 Check auto-refs.

DON'T
GEN. CAT.

- 1 AN ACT ~~relating to:~~ relating to: creation of a department of information technology and
- 2 making appropriations.

Analysis by the Legislative Reference Bureau

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 ~~division administrators~~ ^{three} outside the classified service.

appointed

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 ~~one~~ ^{four} 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.

four

technology for educational achievement in Wisconsin TEACH

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 ^{the} 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 ^{the} 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 ~~from~~ another agency, or to provide the materials, supplies, equipment, or services to itself. ~~from~~ ^{from}

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.

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

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

2 13.101 (14) With the concurrence of the joint committee on information policy
3 and technology, direct the department of ~~administration~~ information services to
4 report to the committee concerning any specific information technology system
5 project in accordance with s. 13.58 (5) (b) 4.

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

7 13.58 (5) (a) 5. Upon receipt of strategic plans from the department of
8 ~~administration~~ information services, the joint committee on legislative organization
9 and the director of state courts, review and transmit comments concerning the plans
10 to the entities submitting the plans.

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

12 13.58 (5) (b) 1. Direct the subunit in the department of ~~administration with~~
13 ~~policy-making responsibility related to information technology~~ information services
14 to conduct studies or prepare reports on items related to the committee's duties under
15 par. (a).

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

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

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

9 13.90 (6) The joint committee on legislative organization shall adopt, revise
10 biennially and submit to the cochairpersons of the joint committee on information
11 policy and technology, the governor and the ~~secretary of administration~~ chief
12 information officer, no later than September 15 of each even-numbered year, a
13 strategic plan for the utilization of information technology to carry out the functions
14 of the legislature and legislative service agencies, as defined in s. 16.70 (6). The plan
15 shall address the business needs of the legislature and legislative service agencies
16 and shall identify all resources relating to information technology which the
17 legislature and legislative service agencies desire to acquire, contingent upon
18 funding availability, the priority for such acquisitions and the justification for such
19 acquisitions. The plan shall also identify any changes in the functioning of the
20 legislature and legislative service agencies under the plan.

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

22 13.93 (2) (h) Approve specifications and scheduling for computer databases
23 containing the Wisconsin statutes and for the printing of the Wisconsin statutes as
24 prescribed in ss. ~~16.971~~ 22.03 (6) and 35.56 (5).

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

✓ ✓

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

2 (7).

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

4 15.07 (2) (L) The governor shall serve as chairperson of the information
5 technology management board and the chief information officer shall serve as vice
6 chairperson of that board.

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

8 15.07 (3) (bm) 4. The information technology management board shall meet at
least 4 times each year ~~on~~ *and may meet at other times* on the call of the chairperson.

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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:

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~~
~~that deals with information technology~~ information services.

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

1 **15.23 Department of information services; creation.** There is created a
2 department of information services under the direction and supervision of the
3 secretary of information services, who shall be known as the “chief information
4 officer”.

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

6 **15.235 Same; attached boards. (1) INFORMATION TECHNOLOGY MANAGEMENT**
7 **BOARD.** There is created an information technology management board which is
8 attached to the department of information services under s. 15.03. The board shall
9 consist of the governor, the chief information officer, the secretary of administration,
10 2 heads of departments or independent agencies appointed to serve at the pleasure
11 of the governor, and 2 public officers or employees appointed to serve for 4-year terms.

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

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

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

23 **16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES.** No department, except
24 the legislature or the courts, may increase the pay of any employee, expend money
25 or incur any obligation except in accordance with the estimate that is submitted to

SECTION 18

1 the secretary as provided in sub. (1) and approved by the secretary or the governor.
 2 No change in the number of full-time equivalent positions authorized through the
 3 biennial budget process or other legislative act may be made without the approval
 4 of the joint committee on finance, except for position changes made by the governor
 5 under s. 16.505 (1) (c) or (2), by the chief information officer under s. 16.505 (2e), by
 6 the University of Wisconsin Hospitals and Clinics Board under s. 16.505 (2n) or by
 7 the board of regents of the University of Wisconsin System under s. 16.505 (2m). The
 8 secretary may withhold, in total or in part, the funding for any position, as defined
 9 in s. 230.03 (11), as well as the funding for part-time or limited term employees until
 10 such time as the secretary determines that the filling of the position or the expending
 11 of funds is consistent with s. 16.505 and with the intent of the legislature as
 12 established by law or in budget determinations, or the intent of the joint committee
 13 on finance ⁱⁿ ~~creating~~ or abolishing positions under s. 13.10, the intent of the governor
 14 ⁱⁿ ~~creating~~ or abolishing positions under s. 16.505 (1) (c) or (2), the intent of the chief
 15 information officer ⁱⁿ ~~transferring~~ positions under s. 16.505 (2e), or the intent of the
 16 board of regents of the University of Wisconsin System ^{restore plain} ~~in~~ creating or abolishing
 17 positions under s. 16.505 (2m). Until the release of funding occurs, recruitment or
 18 certification for the position may not be undertaken. The secretary shall submit a
 19 quarterly report to the joint committee on finance of any position changes made by
 20 the governor under s. 16.505 (1) (c) or by the chief information officer under s. 16.505
 21 (2e). No pay increase may be approved unless it is at the rate or within the pay ranges
 22 prescribed in the compensation plan or as provided in a collective bargaining
 23 agreement under subch. V of ch. 111. At the request of the secretary of employment
 24 relations, the secretary of administration may authorize the temporary creation of
 25 pool or surplus positions under any source of funds if the secretary of employment

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

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

7 16.505 (1) (intro.) Except as provided in subs. (2), [✓](2e), (2m) and (2n), no
8 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
9 created or abolished unless authorized by one of the following:

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

11 16.505 (2e) (a) In this subsection, "executive branch agency" has the meaning
12 given ~~under~~ ⁱⁿ s. 16.70 (4). ✓

13 (b) 1. In addition to the procedure under sub. (2), the chief information officer
14 may, unless otherwise required by state or federal law or unless otherwise required
15 by the federal government as a condition to receipt of aids by this state, transfer any
16 whole or fractional number of authorized full-time equivalent positions having
17 responsibilities related to information technology or telecommunications functions
18 from any executive branch agency to the department of information services or
19 another executive branch agency, or may transfer the funding source for any such
20 positions within the appropriations made to an executive branch agency, for the
21 purpose of carrying out the authorized functions of the department of information
22 services. The chief information officer may also change the funding source, in whole
23 or in part, for any position transferred to the department of information services or
24 another executive branch agency under this paragraph. The chief information
25 officer may also rescind any previous action under this ~~paragraph~~ ^{subdivision}. If the funding

subdivision

SECTION 20

1 source for any position is changed under this subdivision[✓] and the transfer or change
 2 in funding sources is rescinded, the funding source for that position reverts to the
 3 original funding source. The number of authorized full-time equivalent positions for
 4 the department of information services or any other executive branch agency from
 5 which or to which positions are transferred under this ^{subdivision} paragraph and the allocation
 6 of full-time equivalent positions to the department of information services and other
 7 executive branch agencies among funding sources is adjusted to reflect the transfer
 8 on the date ~~that~~ ^{on which} the transfer is made.

9 2. On the effective date of any transfer of employees between executive branch
 10 agencies under subd 1., any incumbent in a position that is affected by the transfer
 11 is transferred to the appropriate executive branch agency required to effect the
 12 transfer. Employees transferred under this ^{paragraph} subsection have all the rights and the
 13 same status under subch. V of ch. 111 and ch. 230 in the executive branch agency to
 14 which they are transferred that they enjoyed in the executive branch agency by
 15 which they were employed immediately prior to the transfer. Notwithstanding s.
 16 230.28 (4), no employee so transferred who has attained permanent status in class
 17 may be required to serve a probationary period in the position to which the employee
 18 is transferred.

19 3. Promptly following the completion of each calendar quarter, the chief
 20 information officer shall report to the secretary[✓] the number of position changes made
 21 by the ^{chief information} officer during the preceding calendar quarter, itemized for each executive
 22 branch agency and funding source and, if applicable, the specific appropriations from
 23 which funding for any position was provided or from which funding for any position
 24 was deleted.

25 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)~~^(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)~~^(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.

(except 16.52 title)

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

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

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16.52 (1) ~~KEEP SEPARATE ACCOUNTS~~ ^(CS) Accounts OF MONEYS AND FUNDS. Keep The

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department shall keep in its office separate accounts of the revenues and funds of the

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state, and of all moneys and funds received or held by the state, and also of all

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encumbrances, expenditures, disbursements and investments thereof, showing the

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particulars of every encumbrance, expenditure, disbursement and investment.

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(2) REVENUE ACCOUNTS. ~~Place~~ The department shall place revenue estimates

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on the books of accounts and credit actual receipts against them as of the last day of

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each quarter. Except as provided in s. 20.002 (2), any receipts applying to a prior

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fiscal year received between the day after the date for closing of books specified by

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the secretary under sub. (5) (a) and the next succeeding such date specified by the

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secretary shall be credited by the secretary to the fiscal year following the year to

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which the receipts apply. Except in the case of program revenue and continuing

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appropriations, any refund of a disbursement to a general purpose revenue

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appropriation, applicable to any prior fiscal year, received between these dates may

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not be credited to any appropriation but shall be considered as a nonappropriated

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receipt. General purpose revenue (GPR) earned, as defined in s. 20.001 (4) is not

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available for expenditure, whether or not applied to the fiscal year in which received.

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(3) ~~KEEP SEPARATE ACCOUNTS~~ ^(CS) Appropriation ACCOUNTS. Keep The department shall keep

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separate accounts of all appropriations authorizing expenditures from the state

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treasury, which accounts shall show the amounts appropriated, the amounts

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allotted, the amounts encumbered, the amounts expended, the allotments

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unencumbered and the unallotted balance of each appropriation.

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

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12-24

1 16.52 (13) INFORMATION TECHNOLOGY AND ELECTRONIC COMMUNICATIONS
2 TRANSFERS. The department shall execute transfers between appropriation accounts
3 authorized under s. 22.09 (4) upon ^{the} direction of the chief information officer.

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

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

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

7 16.61 (3n) EXEMPT FORMS. The board may not receive or investigate complaints
8 about the forms specified in s. ~~16.971~~ ^{22.03} (2m).

9 SECTION 27. 16.70 (4m) ~~and (4n)~~ of the statutes ^{is} created to read:

10 16.70 (4m) "Information technology" has the meaning given in s. 22.01 (6).

11 ^{SEC. #. CR; 16.70 (13) (15)} "Telecommunications" has the meaning given in s. 22.01 (10).
12 ^{16.70 (15)}

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

14 16.71 (1) Except as otherwise required under this section and s. 16.78 or as
15 authorized in s. 16.74, the department shall purchase and may delegate to special
16 designated agents the authority to purchase all necessary materials, supplies,
17 equipment, all other permanent personal property and miscellaneous capital, and
18 contractual services and all other expense of a consumable nature for all agencies.
19 In making any delegation, the department shall require the agent to adhere to all
20 requirements imposed upon the department in making purchases under this
21 subchapter. All materials, services and other things and expense furnished to any
22 agency and interest paid under s. 16.528 shall be charged to the proper appropriation
23 of the agency to which furnished.

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

25 16.71 (2m) The department of ~~administration~~ ^{SET} shall delegate authority to make
all purchases for the department of information services to the department of

1 information services. This delegation may not be withdrawn, but the department of
2 information services may elect to make any purchase through the department of
3 administration.

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

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

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

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

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

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

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

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

10 16.72 (2) (d) Except as permitted in ~~s. ss. 16.75 (6) (am)~~ and 16.751, to the extent
11 possible, the department and any other designated purchasing agent under s. 16.71
12 (1) shall write specifications for the purchase of materials, supplies, commodities,
13 equipment and contractual services so as to permit their purchase from prison
14 industries, as created under s. 303.01 (1).

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

16 16.72 (4) (a) Except as provided in ~~s. ss. 16.71 and~~ 16.74 or as otherwise
17 provided in this subchapter and the rules promulgated under s. 16.74 and this
18 subchapter, all supplies, materials, equipment and contractual services shall be
19 purchased for and furnished to any agency only upon requisition to the department.
20 The department shall prescribe the form, contents, number and disposition of
21 requisitions and shall promulgate rules as to time and manner of submitting such
22 requisitions for processing. No agency or officer may engage any person to perform
23 contractual services without the specific prior approval of the department for each
24 such engagement. Purchases of supplies, materials, equipment or contractual
25 services by the department of information services, the legislature, the courts or

1 legislative service or judicial branch agencies do not require approval under this
2 paragraph.

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

4 16.72 (8) ~~The division of information technology services of the department of~~
5 information services may purchase educational technology materials, supplies,
6 equipment or contractual services from orders placed with the department by the
7 technology for educational achievement in Wisconsin board on behalf of school
8 districts, cooperative educational service agencies, technical college districts and the
9 board of regents of the University of Wisconsin System.

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

11 16.75 (3t) (a) In this subsection, “form” has the meaning given under s. ~~16.97~~
12 22.01 (5p). ✓

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

14 16.75 (3t) (c) (intro.) The department of corrections shall periodically provide
15 to the department of administration a current list of all materials, supplies,
16 equipment or contractual services, excluding commodities, that are supplied by
17 prison industries, as created under s. 303.01. The department of administration
18 shall distribute the list to all designated purchasing agents under s. 16.71 (1). ~~Prior~~
19 Except as otherwise provided in sub. (6) (am), ~~prior~~ ✓ to seeking bids or competitive
20 sealed proposals with respect to the purchase of any materials, supplies, equipment
21 or contractual services enumerated in the list, the department of administration or
22 any other designated purchasing agent under s. 16.71 (1) shall offer prison industries
23 the opportunity to supply the materials, supplies, equipment or contractual services
24 if the department of corrections is able to provide them at a price comparable to one
25 which may be obtained through competitive bidding or competitive sealed proposals

1 and is able to conform to the specifications, provided the specifications are written
2 in accordance with s. 16.72 (2) (d). If the department of administration or other
3 purchasing agent is unable to determine whether the price of prison industries is
4 comparable, it may solicit bids or competitive proposals before awarding the order
5 or contract. This paragraph does not apply to the printing of the following forms:

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

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

9 16.75 (6) (am) Subsections (1) and (3t) do not apply to major procurements by
10 the department of information services. Annually not later than October 1, the
11 department of information services shall report to the department of administration,
12 in the form specified by the secretary, concerning all procurements made by the
13 department of information services during the preceding fiscal year.

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

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

17 **16.751 Information technology purchases by investment board.** The
18 requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m) (g) do not apply
19 to procurements authorized to be made by the investment board under s. 16.78 (1)
20 for information technology purposes.

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

22 16.752 (12) (i) Paragraph (a) does not apply to major procurements, as defined
23 in s. 16.75 (6) (am) by the department of information services.

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

1 **16.78 Purchases from division of information technology department**

2 **of information services.** (1) Every executive branch agency other than the board
 3 of regents of the University of Wisconsin system and an agency making purchases
 4 under s. 16.74 shall purchase ~~make~~ ^{make all} all computer purchases of materials, supplies,
 5 equipment, and contractual services relating to information technology or
 6 telecommunications from the division of information technology services in the
 7 department of administration information services, unless the division department
 8 of information services grants written authorization to the agency to procure the materials, supplies,
 9 equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the
 10 materials, supplies, equipment, or contractual services from another agency or to
 11 provide the materials, supplies, equipment, or contractual services to itself. The
 12 board of regents of the University of Wisconsin System may purchase computer
 13 services from the division of information technology services.

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

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

19 SECTION 45. Subchapter VII (title) of chapter 16 [precedes ^{16.97}] of the statutes
 20 is repealed.

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

23 **22.01 Definitions.** (intro.) In this ~~subchapter~~ chapter:

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

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

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

2 (title) ~~and (1) (intro.)~~

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

PWS 19-4

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

5 SECTION 52. 16.971 (2) (intro.) of the statutes is renumbered 22.03 (2) (intro.)

6 and amended to read:

7 22.03 (2) (intro.) The division department shall:

8 SECTION 53. 16.971 (2) (a) of the statutes is renumbered 22.03 (2) ~~(a)~~ ^{ae} and

9 amended to read:

10 22.03 (2) ~~(a)~~ ^{ae} Except as provided in sub. (2m), review and approve, modify or

11 reject all forms approved by a records and forms officer for jurisdiction, authority,

12 standardization of design and nonduplication of existing forms. Unless the division

13 department rejects for cause or modifies the form within 20 working days after

14 receipt, it is considered approved. The division's department's rejection of any form

15 is appealable to the public records board. If the head of an agency certifies to the

16 division department that the form is needed on a temporary basis, approval by the

17 division department is not required.

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

19 to (k).

20 SECTION 55. 16.971 (2) (L) to (m) of the statutes are renumbered 22.03 (2) (L)

21 to (m) and amended to read:

22 22.03 (2) (L) Require each executive branch agency to adopt, ~~revise biennially,~~

23 and submit for its approval, in a form specified by the department, no later than

24 March 1 of each year, a strategic plan for the utilization of information technology

25 to carry out the functions of the agency. ~~As a part of each plan, the division shall~~

1 ~~require each executive branch agency to address the business needs of the agency~~
2 ~~and to identify all proposed information technology development projects that serve~~
3 ~~those business needs, the priority for undertaking such projects and the justification~~
4 ~~for each project, including the anticipated benefits of the project. Each plan shall~~
5 ~~identify any changes in the functioning of the agency under the plan. The division~~
6 ~~shall consult with the joint committee on information policy and technology in~~
7 ~~providing guidance for and scheduling of planning by executive branch agencies in~~
8 ~~the succeeding fiscal year for review and approval under s. 22.13.~~ ✓
plain space

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

17 (m) Assist in coordination and integration of the plans of executive branch
18 agencies relating to information technology approved under par. (L) and, using these
19 plans and the statewide long-range telecommunications plan under s. ~~16.99~~ [✓]22.41 ✓

20 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the
21 use and application of information technology. The ~~division~~ department shall, no
22 later than September 15 of each even-numbered year, submit the statewide strategic
23 plan to the cochairpersons of the joint committee on information policy and
24 technology and the governor.

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

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

5 22.03 (3) (a) The ~~secretary~~ chief information officer shall notify the joint
6 committee on finance in writing of the proposed acquisition of any information
7 technology resource that the department considers major or that is likely to result
8 in a substantive change of service, and that was not considered in the regular
9 budgeting process and is to be financed from general purpose revenues or
10 corresponding revenues in a segregated fund. If the cochairpersons of the committee
11 do not notify the ~~secretary~~ chief information officer that the committee has scheduled
12 a meeting for the purpose of reviewing the proposed acquisition within 14 working
13 days after the date of the ~~secretary's~~ officer's notification, the department may
14 approve acquisition of the resource. If, within 14 working days after the date of the
15 ~~secretary's~~ chief information officer's notification, the cochairpersons of the
16 committee notify the ~~secretary~~ officer that the committee has scheduled a meeting
17 for the purpose of reviewing the proposed acquisition, the department shall not
18 approve acquisition of the resource unless the acquisition is approved by the
19 committee.

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

and

and

①

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

2

SECTION 59. 16.971 (9) of the statutes is renumbered 22.03 (9) and amended

3

to read:

of information systems

4

22.03 (9) In conjunction with the public defender board, the director of state

5

courts, the departments of corrections and justice and district attorneys, the ~~division~~

⑥

department may maintain, promote and coordinate automated justice information

7

systems that are compatible among counties and the officers and agencies specified

8

in this subsection, using the moneys appropriated under s. ~~20.505~~ 20.530 (1) (ja), (kp)

9

and (kq) . The ~~division~~ department shall annually report to the legislature under s.

10

13.172 (2) concerning the ~~division's~~ department's efforts to improve and increase the

11

efficiency of integration of justice information systems.

12

SECTION 60. 16.971 (11) of the statutes is renumbered 22.03 (11) and amended

13

to read:

14

22.03 (11) The ~~division~~ department may charge executive branch agencies for

15

information technology development and management services provided to them by

16

the ~~division~~ department under this section.

17

SECTION 61. 16.973 (title) of the statutes is renumbered 22.05 (title) and

18

amended to read:

19

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

20

department.

21

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

22

SECTION 63. 16.973 (2) (intro.) and (a) to (d) of the statutes are renumbered

23

22.05 (2) (intro.) and (a) to (d) and amended to read:

24

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

25

department may:

(a)

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

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

21 (c) ~~(intro)~~ Provide such supercomputer services to agencies, the federal
22 government, local governmental units and entities in the private sector as the
23 ~~division~~ department considers to be appropriate and as the ~~division~~ department can
24 efficiently and economically provide. The ~~division~~ department may exercise this
25 power only if in doing so it maintains the services it provides at least at the same

1 levels that it provides prior to exercising this power and it does not increase the rates
2 chargeable to users served prior to exercise of this power as a result of exercising this
3 power. The ~~division~~ department may charge agencies, the federal government, local
4 governmental units and entities in the private sector for services provided to them
5 under this paragraph in accordance with a methodology determined by the ~~secretary~~
6 chief information officer.

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

16 SECTION 64. 16.973 (2) (e) [✓] of the statutes is renumbered 22.05 (2) (e).

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

19 **22.07 (1) [✓] Duties of the ~~division of information technology services~~**
20 **department.** (intro.) The ~~division of information technology services~~ department
21 shall:

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

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

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

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

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

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

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

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

17 **22.11 Access to information.** ^{plain space} The ~~division~~ of information technology services
18 department shall withhold from access under s. 19.35 (1) all information submitted
19 to the ~~division~~ department by agencies, units of the federal government, local
20 governmental units or entities in the private sector for the purpose of processing.
21 The ~~division~~ department may not process such information without the consent of
22 the agency, unit or other entity which submitted the information and may not
23 withhold such information from the agency, unit or other entity or from any other
24 person authorized by the agency, unit or entity to have access to the information. The
25 agency, unit or other entity submitting the information remains the custodian of the

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

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

4
5

SECTION 71. Subchapter IX (title) of chapter 16 [precedes] of the statutes is
6 repealed. 16.99

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)
7 (intro.) and (a) and amended to read:

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

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

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

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

1 22.41 (2) (f) Perform the functions of agency telecommunications officer for
2 those departments agencies with no designated focal point for telecommunications
3 planning, coordination, technical review and procurement.

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

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

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

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

12 20.225 (1) (kb) *Emergency weather warning system operation.* From the
13 moneys received by the department of ~~administration~~ information services for the
14 provision of state telecommunications and data processing services and sale of
15 telecommunications and data processing inventory items primarily to state
16 agencies, the amounts in the schedule for the operation of the emergency weather
17 warning system under s. 39.11 (21).

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

19 20.275 (1) (s) *Telecommunications access; school districts; grant.* Biennially,
20 from the universal service fund, the amounts in the schedule to make payments to
21 telecommunications providers under contracts with the department of
22 ~~administration~~ information services under s. ~~16.974~~ [✓] 22.07 (7) (a) to the extent that
23 the amounts due are not paid from the appropriation under s. ~~20.505~~ [✓] 20.530 (1) (is)
24 and, prior to July 1, 2002, to make grants to school districts under s. 44.73 (6) and,

1 in the 1999–2000 fiscal year, to award a grant to the distance learning network under
2 1999 Wisconsin Act 9, section 9148 (4w).

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

4 20.275 (1) (t) *Telecommunications access; private and technical colleges and*
5 *libraries.* Biennially, from the universal service fund, the amounts in the schedule
6 to make payments to telecommunications providers under contracts with the
7 department of ~~administration~~ information services under s. 16.974 [✓]22.07 (7) (b) to
8 the extent that the amounts due are not paid from the appropriation under s. ~~20.505~~ [✓]
9 20.530 (1) (is).

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

11 20.275 (1) (tm) *Telecommunications access; private schools.* Biennially, from
12 the universal service fund, the amounts in the schedule to make payments to
13 telecommunications providers under contracts with the department of
14 ~~administration~~ information services under s. 16.974 [✓]22.07 (7) (c) to the extent that
15 the amounts due are not paid from the appropriation under s. ~~20.505~~ [✓] 20.530 (1) (is)
16 and, prior to July 1, 2002, to make grants to private schools under s. 44.73 (6).

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

18 20.275 (1) (tu) *Telecommunications access; state schools.* Biennially, from the
19 universal service fund, the amounts in the schedule to make payments to
20 telecommunications providers under contracts with the department of
21 ~~administration~~ information services under s. 16.974 [✓]22.07 (7) (d) to the extent that
22 the amounts due are not paid from the appropriation under s. ~~20.505 (1) (kL)~~ [✓] 20.530
23 (1) (ke).

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

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

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

9 20.530 (1) (is) *Information technology processing services to General program*
10 *operations; services to nonstate entities.* All moneys received from local governmental
11 units and entities in the private sector for provision of computer services,
12 telecommunications services and supercomputer services under s. ~~16.973~~ 22.05 (2)
13 (b) and (c) or under s. 44.73 (2) (d), and all moneys received from assessments under
14 s. 196.858 for a statewide telecommunications relay service, to be used for the
15 purpose of providing those services and for the general program operations of the
16 department.

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

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

19 20.530 (1) (ja) *Justice information systems.* The amounts in the schedule for
20 the development and operation of automated justice information systems under s.
21 ~~16.971~~ 22.03 (9). Two-ninths of the moneys received under s. 814.635 (1) shall be
22 credited to this appropriation account.

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

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

3 20.530 (1) (ke) ~~Telecommunications and data processing~~ General program
4 operations; services to state agencies. ~~The amounts in the schedule to provide state~~
5 ~~telecommunications services and data processing oversight and management~~
6 ~~services and telecommunications and data processing inventory items primarily to~~
7 ~~state agencies and to provide for the initial costs of establishment and operation of~~
8 ~~the division of information technology services.~~ All moneys received from the
9 provision of state information technology processing and telecommunications and
10 data processing services and sale of telecommunications and data processing
11 inventory items primarily to state agencies under ss. 22.05 and 22.07 or under s.
12 44.73 (2) (d), other than moneys received and disbursed under ~~par. (kL)~~ and s. 20.225
13 (1) (kb), and all reimbursements of advances received by the division of information
14 ~~technology services shall be credited to this appropriation account~~ all moneys
15 received from the provision of information technology development and
16 management services to executive branch agencies under s. 22.03, and all moneys
17 transferred to this appropriation account from any other appropriation account
18 under s. 22.09 (4), to be used for the purpose of providing those services and for the
19 general program operations of the department.

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

20 **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.

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

1 20.530 (1) (kp) *Interagency assistance; justice information systems.* The
2 amounts in the schedule for the development and operation of automated justice
3 information systems under s. ~~16.971~~^{22.03}(9). All moneys transferred from the
4 appropriation ~~account~~ under sub. s. 20.505 (6) (kt) and (pc) shall be credited to this
5 appropriation account. accounts

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

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

8 20.530 (1) (kq) *Justice information systems development, operation and*
9 *maintenance.* The amounts in the schedule for the purpose of developing, operating
10 and maintaining automated justice information systems under s. ~~16.971~~^{22.02} (9).
11 All moneys transferred from the appropriation account under s. 20.505 (6) (j) 12.
12 shall be credited to this appropriation account.

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

13 **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.

14 **SECTION 92.** 20.505 (4) (is)[✓] of the statutes is repealed. *strike period*

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

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

16 20.505 (6) (j) 12. The amount transferred to sub. s. 20.530 (1) (kq) shall be the
17 amount in the schedule under sub. s. 20.530 (1) (kq).

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

19 **20.530 Information services, department of.** There is appropriated to the
20 department of information services for the following program:

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

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

8 (kf) *Electronic communications services; state agencies.* All moneys received
9 from state agencies for electronic communications services provided to the agencies
10 by the department under s. 22.09 (3), and all moneys transferred to this
11 appropriation account from any other appropriation account under s. 22.09 (4), to be
12 used for the purpose of providing those services. *under ch 223*

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

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

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

17 20.680 (2) (kd) *Court operations information technology.* The amounts in the
18 schedule to provide information technology development and management services
19 to the court system. All moneys transferred from the appropriation account under
20 s. ~~20.505~~ 20.530 (1) (ja) shall be credited to this appropriation account.

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

22 20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys
23 expended from the appropriations under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and

1 (es) ~~and~~, 20.505 (1) (im), (ka), (kb), (kc) and (kd), and 20.530 (1) (is), (it), (ke) and (kf)
 2 in an additional amount not exceeding the depreciated value of equipment for
 3 operations financed under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) ~~and~~, 20.505
 4 (1) (im), (ka), (kb), (kc) and (kd), and 20.530 (1) (is), (it), (ke) and (kf). The secretary
 5 of administration may require such statements of assets and liabilities as he or she
 6 deems necessary before approving expenditure estimates in excess of the
 7 unexpended moneys in the appropriation account.

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

10 20.923 (4) (e) 4m. ~~Administration~~ Information services, department of;
 11 technology for educational achievement in Wisconsin board: executive director.

12 **SECTION 98.** 20.923 (4) (h) 2. of the statutes is created to read:

13 20.923 (4) (h) 2. Information services, department of: secretary (chief
 14 information officer).

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

16 **CHAPTER 22** → 010

17 **DEPARTMENT OF INFORMATION SERVICES**

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

19 22.01 (2m) "Board" means the information technology management board.

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

21 (6m) "Information technology portfolio" means information technology
 22 systems, applications, infrastructure and information resources and human
 23 resources devoted to developing and maintaining information technology systems.

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

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

5 22.05 (2) (f) Acquire, operate[✓] and maintain any information technology
6 equipment or systems required by the department to carry out its functions, and
7 provide information technology development and management services related to
8 those information technology systems. The department may assess executive[✓]
9 branch agencies for the costs of equipment or systems acquired, operated,
10 maintained[✓], or provided or services provided under this paragraph in accordance
11 with a methodology determined by the chief information officer. The department
12 may also charge any agency for such costs as a component of any services provided
13 by the department to the agency.

14 (g) Assume direct responsibility for the planning and development of any
15 information technology system in the executive branch of state government that the
16 chief information officer determines to be necessary to effectively develop or manage
17 the system, with or without^{the} consent of any affected executive branch agency. The
18 department may charge any executive branch agency for^{the department's} reasonable costs
19 incurred in carrying out its[✓] functions under this paragraph on behalf of that agency.

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

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

23 22.09 Powers of the chief information officer. The chief information
24 officer may:

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

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

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

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

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

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

6 **22.13 Strategic plans for executive branch agencies.** (1) As a part of each
7 proposed strategic plan submitted under s. 22.03 (2) (L), the department shall
8 require each executive branch agency to address the business needs of the agency
9 and to identify all proposed information technology development projects that serve
10 those business needs, the priority for undertaking such projects, and the justification
11 for each project, including the anticipated benefits of the project. Each proposed plan
12 shall identify any changes in the functioning of the agency under the plan. In each
13 even-numbered year, the plan shall include identification of any information
14 technology development project that the agency plans to include in its biennial
15 budget request under s. 16.42 (1).

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

20 (3) Following receipt of a proposed strategic plan from an executive branch
21 agency under this section, the chief information officer shall, ^{by} ~~prior to~~ ^{before} June 1, notify
22 the agency of any concerns ^{that} the officer may have concerning the plan and provide the
23 agency with his or her recommendations concerning the proposed plan. The chief
24 information officer may also submit any concerns or recommendations concerning
25 any proposed plan to the board for its consideration. The board shall then consider

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

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

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

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

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

14 22.15 Information technology portfolio management. With the
15 assistance of executive branch agencies and the advice of the board, the department
16 shall manage the information technology portfolio of state government in accordance
17 with a management structure that includes: *all of the following*

- 18 (1) Criteria for selection of information technology assets to be managed.
- 19 (2) Methods for monitoring and controlling information technology
20 development projects and assets.
- 21 (3) Methods to evaluate the progress of information technology development
22 projects and the effectiveness of ^{of} information technology systems, including
23 performance measurements for the information technology portfolio.

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

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

5 (2) The board may advise the chief information officer with respect to
6 management of the information technology portfolio of state government under s.
7 22.15.

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

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

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

19 29.038 (1) (a) “Local governmental unit” has the meaning given in s. ~~16.97~~
20 22.01 (7).

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

22 36.25 (38) (b) 6. To pay the department of ~~administration~~ information services
23 for telecommunications services provided under s. ~~16.973~~ 22.05 (1).

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

1 44.70 (2) “Department” means the department of ~~administration~~ information
2 services.

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

4 44.70 (4) “Telecommunications” has the meaning given in s. ~~16.99~~ [✓] 22.41 [✓] (1).

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

6 44.71 (2) (a) 7. Coordinate the purchasing of educational technology materials,
7 supplies, equipment and contractual services for school districts, cooperative
8 educational service agencies, technical college districts and the board of regents of
9 the University of Wisconsin System by the department under s. 16.72 (8), and, in
10 ~~cooperation~~ with the approval of the department, establish standards and
11 specifications for purchases of educational technology hardware and software by
12 school districts, cooperative educational service agencies, technical college districts
13 and the board of regents of the University of Wisconsin System.

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

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

21 44.73 (1) Except as provided in s. 196.218 (4t), the board, ~~in consultation~~ with
22 the approval of the department, shall promulgate rules establishing an educational
23 telecommunications access program to provide educational agencies with access to
24 data lines and video links.

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

1 44.73 (3) The board shall submit an annual report to the department on the
2 status of providing data lines and video links that are requested under sub. (2) (a)
3 and the impact on the universal service fund of any payment under contracts under
4 s. ~~16.974~~ [✓]22.07 (7).

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

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

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

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

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

24 196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The
25 commission, in consultation with the department of ~~administration~~ [✓]information

1 services and the technology for educational achievement in Wisconsin board, shall
2 promulgate rules specifying the telecommunications services eligible for funding
3 through the educational telecommunications access program under s. 44.73.

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

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

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

8 196.218 (5) (a) 6. To pay the department of ~~administration~~ information services
9 for telecommunications services provided under s. ~~16.973~~ 22.05 (1) to the campuses
10 of the University of Wisconsin System at River Falls, Stout, Superior and
11 Whitewater.

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

13 196.858 (1) The commission shall annually assess against local exchange and
14 interexchange telecommunications utilities ^{MARKET} the total, not to exceed \$5,000,000, of the
15 amounts appropriated under s. ~~20.505 (4) (is).~~

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

17 196.858 (2) The commission shall assess ~~a sum equal to the annual total~~
18 amount under sub. (1) to local exchange and interexchange telecommunications
19 utilities in proportion to their gross operating revenues during the last calendar year.
20 If total expenditures for telephone relay service exceeded the payment made under
21 this section in the prior year, the commission shall charge the remainder to assessed
22 telecommunications utilities in proportion to their gross operating revenues during
23 the last calendar year. A telecommunications utility shall pay the assessment within
24 30 days after the bill has been mailed to the assessed telecommunication utility. The

1 bill constitutes notice of the assessment and demand of payment. Payments shall
2 be credited to the appropriation account under s. ~~20.505 (4)~~ 20.530 (1) (is).

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

4 221.0320 (3) (a) In this subsection, “local governmental unit” has the meaning
5 given in s. ~~16.97~~ 22.01 (7).

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

7 230.08 (2) (e) 1. Administration — ~~12~~ 10.

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

9 230.08 (2) (e) 6m. Information services — 3.

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

11 230.09 (2) (g) When filling a new or vacant position, if the secretary determines
12 that the classification for a position is different than that provided for by the
13 legislature as established by law or in budget determinations, or as authorized by the
14 joint committee on finance under s. 13.10, or as specified by the governor ⁱⁿ creating
15 positions under s. 16.505 (1) (c) or (2), the chief information officer ⁱⁿ transferring
16 positions under s. 16.505 (2e), the University of Wisconsin Hospitals and Clinics
17 Board ⁱⁿ creating positions under s. 16.505 (2n) or the board of regents of the University
18 of Wisconsin System ⁱⁿ creating positions under s. 16.505 (2m), or is different than that
19 of the previous incumbent, the secretary shall notify the administrator and the
20 secretary of administration. The administrator shall withhold action on the
21 selection and certification process for filling the position. The secretary of
22 administration shall review the position to determine that sufficient funds exist for
23 the position and that the duties and responsibilities of the proposed position reflect
24 the intent of the legislature as established by law or in budget determinations, the
25 intent of the joint committee on finance acting under s. 13.10, the intent of the

1 governor creating positions under s. 16.505 (1) (c) or (2), the chief information officer
2 transferring positions under s. 16.505 (2e), the University of Wisconsin Hospitals
3 and Clinics Board creating positions under s. 16.505 (2n) or the intent of the board
4 of regents of the University of Wisconsin System creating positions under s. 16.505
5 (2m). The administrator may not proceed with the selection and certification process
6 until the secretary of administration has authorized the position to be filled.

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

8 283.84 (1) (c) Reaches an agreement with the department or a local
9 governmental unit, as defined in s. ~~16.97~~ 22.01 (7), under which the person pays
10 money to the department or local governmental unit and the department or local
11 governmental unit uses the money to reduce water pollution in the project area.

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

13 758.19 (7) The director of state courts shall adopt, revise biennially and submit
14 to the cochairpersons of the joint committee on information policy and technology, the
15 governor and the ~~secretary of administration~~ department of information services, no
16 later than September 15 of each even-numbered year, a strategic plan for the
17 utilization of information technology to carry out the functions of the courts and
18 judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the
19 business needs of the courts and judicial branch agencies and shall identify all
20 resources relating to information technology which the courts and judicial branch
21 agencies desire to acquire, contingent upon funding availability, the priority for such
22 acquisitions and the justification for such acquisitions. The plan shall also identify
23 any changes in the functioning of the courts and judicial branch agencies under the
24 plan.

25 **SECTION 9101. Nonstatutory provisions; administration.**

SECTION 9101

1 (1) TRANSFER OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS FUNCTIONS.

2 #
3 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
4 liabilities of the department of administration that are primarily related to its
5 information technology or telecommunications functions, as determined by the
6 secretary of administration, shall become assets and liabilities of the department of
information services, as created by this act.

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7 #
8 (b) *Positions and employes.* 1. On the effective date of this subdivision, all
9 full-time equivalent positions in the department of administration having duties
10 that are primarily related to its information technology or telecommunications
11 functions, as determined by the secretary of administration, are transferred to the
12 department of information services, as created by this act.

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13 #2
14 All incumbent employes holding positions specified in subdivision 1. are
15 transferred on the effective date of this subdivision to the department of information
16 services, as created by this act.

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17 #3
18 Employees transferred under subdivision 2. have all the rights and the same
19 status under subchapter V of chapter 111 and chapter 230 of the statutes in the
20 department of information services, as created by this act, that they enjoyed in the
21 department of administration immediately before the transfer. Notwithstanding
22 section 230.28 (4) of the statutes, no employe so transferred who has attained
23 permanent status in class is required to serve a probationary period.

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24 #
25 (c) *Tangible personal property.* On the effective date of this paragraph, all
tangible personal property, including records, of the department of administration
that is primarily related to its information technology or telecommunications
functions, as determined by the secretary of administration, is transferred to the
department of information services, as created by this act.

1 (d) *Contracts.* All contracts entered into by the department of administration
2 in effect on the effective date of this paragraph that are primarily related to its
3 information technology or telecommunications functions, as determined by the
4 secretary of administration, are transferred to the department of information
5 services, as created by this act. The department of information services shall carry
6 out any contractual obligations under such a contract until the contract is modified
7 or rescinded by the department of information services to the extent allowed under
8 the contract.

9 (e) *Rules and orders.* All rules promulgated by the department of
10 administration that are primarily related to its information technology or
11 telecommunications functions and that are in effect on the effective date of this
12 paragraph remain in effect until their specified expiration dates or until amended
13 or repealed by the department of information services, as created by this act. All
14 orders issued by the department of administration that are primarily related to its
15 information technology or telecommunications functions and that are in effect on the
16 effective date of this paragraph remain in effect until their specified expiration dates
17 or until modified or rescinded by the department of information services, as created
18 by this act.

19 (f) *Pending matters.* Any matter pending with the department of
20 administration that is primarily related to its information technology or
21 telecommunications functions on the effective date of this paragraph is transferred
22 to the department of information services, as created by this act, and all materials
23 submitted to or actions taken by the department of administration with respect to
24 the pending matter are considered as having been submitted to or taken by the
25 department of information services, as created by this act.

1 SECTION 9149. Nonstatutory provisions; technology for achievement in

2 Wisconsin board.

3 (1) ATTACHMENT TO DEPARTMENT OF INFORMATION SERVICES.

4 # (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
5 liabilities of the department of administration primarily related to the functions of
6 the technology for educational achievement in Wisconsin board, as determined by
7 the secretary of administration, shall become assets and liabilities of the department
8 of information services, as created by this act.

9 # (b) *Positions and employees.*

10 # 1. On the effective date of this subdivision, all full-time equivalent positions
11 in the department of administration having duties primarily related to the functions
12 of the technology for educational achievement in Wisconsin board, as determined by
13 the secretary of administration, are transferred to the department of information
14 services, as created by this act.

15 # 2. All incumbent employees holding positions specified in subdivision 1. are
16 transferred on the effective date of this subdivision to the department of information
17 services, as created by this act.

18 # 3. Employees transferred under subdivision 2. have all ^{a.r.} the rights and the same
19 status under subchapter V of chapter 111 and chapter 230 of the statutes in the
20 department of information services, as created by this act, that they enjoyed in the
21 department of administration immediately before the transfer. Notwithstanding
22 section 230.18 (4) of the statutes, no employee so transferred who has attained
23 permanent status in class is required to serve a probationary period.

24 # (c) *Tangible personal property.* On the effective date of this paragraph, all
25 tangible personal property, including records, of the department of administration

1 that is primarily related to the functions of the technology for educational
2 achievement in Wisconsin board, as determined by the secretary of administration,
3 is transferred to the department of information services, as created by this act.

4 [#](d) *Contracts*. All contracts entered into by the department of administration
5 in effect on the effective date of this paragraph that are primarily related to the
6 functions of the technology for educational achievement in Wisconsin board, as
7 determined by the secretary of administration, remain in effect and are transferred
8 to the department of information services, as created by this act. The department of
9 information services shall carry out any contractual obligations under such a
10 contract until the contract is modified or rescinded by the department of information
11 services to the extent allowed under the contract.

12 **SECTION 9159. Nonstatutory provisions; other.**

13 (1) INFORMATION TECHNOLOGY MANAGEMENT BOARD; INITIAL TERMS.

14 Notwithstanding section 15.235 (1) of the statutes, as created by this act, of the
15 public officers or employees first appointed to serve as members of the information
16 technology management board, the governor shall designate one to serve for a term
17 expiring on May 1, 2003, and one to serve for a term expiring on May 1, 2005.

18 **SECTION 9201. Appropriation changes; administration.**

19 (1) INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS FUNDING TRANSFER.

20 [#](a) The unencumbered balances in the appropriation accounts under section
21 20.505 (4) ~~(is) of the statutes~~ ^{is} transferred to the appropriation account
22 under section 20.530 (1) (is) of the statutes, as affected by this act.

1999 stats., immediate by 02 have the effective date of this subsection

SECTION 9201

1 (b) The unencumbered balances in the appropriation accounts under section

2 20.505 (1) ~~(kL)~~ and (kr) ~~of the statutes~~ are transferred to the appropriation

3 account under section 20.505 (1) (ke) of the statutes, as affected by this act.

(END)

4 *Trs 48-3* →

20.530

1999 stats., immediately before the effective date of this subsection

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INSERT 12-24:

SECTION 1. 16.52 (12) of the statutes is amended to read:

16.52 (12) DATE FOR INTERFUND TRANSFERS. Whenever it is provided by law for a transfer of moneys to be made from one fund to another fund and no date is specified for the transfer to be made, the department shall determine a date on which the transfer shall be made or provide for partial transfers to be made on different dates, and transfer the moneys in accordance with its determination.

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.

INSERT 19-2:

SECTION 2. 16.971 (1) (intro.) and (b) of the statutes are consolidated, renumbered 22.03 (1) and amended to read:

22.03 (1) In this section: ~~(b)~~ "Small agency" means an agency having fewer than 50 authorized full-time equivalent positions.

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; 1995 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.

INSERT 19-4:

SECTION 3. 16.971 (1m) of the statutes is renumbered 22.03 (2) (a) and amended to read:

22.03 (2) (a) The department shall Ensure that an adequate level of information technology services is made available to all agencies by providing systems analysis and application programming services to augment agency resources, as requested. The department shall also ensure that executive branch

agencies make effective and efficient use of the information technology resources of the state. The department shall, in cooperation with agencies, establish policies, procedures and planning processes, for the administration of information technology services, which executive branch agencies shall follow. The policies, procedures and processes shall address the needs of agencies to carry out their functions. The department shall monitor adherence to these policies, procedures and processes.

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

INSERT 29-22:

SECTION 4. 20.505 (1) (ka) of the statutes is amended to read:

20.505 (1) (ka) *Materials and services to state agencies and certain districts.*

The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), ~~(is)~~ and (kb) to (ku) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, other than moneys received and disbursed under pars. (im), ~~(is)~~ and (kb) to (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

NOTE: NOTE: Par. (ka) is amended eff. 9-1-03 by 1999 Wis. Act 9 to read:NOTE:

(ka) *Materials and services to state agencies and certain districts.* The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), (ic) and (kb) to (ku) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, other than moneys received and disbursed under pars. (im), (is) and (kb) to (ku) and subs. (2) (k) and (5) (ka), 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. 10, 131; 1977 c. 378 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 a. 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, 296o, 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, 237 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

SECTION 5. 20.505 (1) (ka) of the statutes is amended to read:

~~NOTE: Section 20.505 (1) (ka) will be redrafted on the next draft to take into consideration rescos 1997 and 1999~~

~~20.505 (1) (ka) Materials and services to state agencies and certain districts.~~

~~The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), (is) and (kb) to (ku) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, other than moneys received and disbursed under pars. (im), (is) and (kb) to (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.~~

NOTE: NOTE: Var. (ka) is amended eff. 9-1-03 by 1999 Wis. Act 9 to read: NOTE:

SECTION 6. 20.505 (1) (ka) of the statutes, as affected by 1999 Wisconsin Act 9,

section 689am, is amended to read:

519

9

9

20.505 (1) (ka) Materials and services to state agencies and certain districts. The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), (is) and (kb) to (ku) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, other than moneys received and disbursed under pars. (im), (is) and (kb) to (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

auto ref. "KA"

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, 700 (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, 489 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, 289; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

INSERT 48-3:

NOTE: Is this text from current law, or from the FOLIO NOTE text? It also needs to reflect 1999 Wis. Act 9.

SECTION 9401 Effective dates; administration

(1) The treatment of section 20.505 (1) (ka) (by SECTION) of the statutes takes effect on September 1, 2003.

auto ref.
"KA" -
see Ins.
29-22

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1857/jdn 2

JTK:...:ch

January 28, 2001

LPS: *leave*
dots
for editor

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 substatory 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).

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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.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1857/2dn
JTK.....ch.&kjf

January 31, 2001

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

Kuesel, Jeffery

From: Caucutt, Dan
Sent: Friday, February 02, 2001 3:24 PM
To: Kuesel, Jeffery
Cc: Dombrowski, Cynthia
Subject: FW: Department Name

Never a dull moment.

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

From: Reines, Bruce
Sent: Friday, February 02, 2001 3:21 PM
To: Caucutt, Dan
Cc: Seemeyer, Linda
Subject: Department Name

When we discussed the statutory draft yesterday, you were absent for the initial discussion on the department's name. Some have expressed concern about the moniker of Department of Information Systems. We know the power of acronyms and DIS or DOIS (even the French pronunciation) doesn't cut it. Plus, that name implies re-arranging of the deck chairs.

Linda and I just conferred and believe it best to go with the Department of Electronic Government. Again, not a flashy acronym, but we can work on that. Plus this will help underscore the need, which in turn makes the BinB piece a bit easier to write.

Can you please make that change to the draft? Thanks

Bruce Reines

Bureau of Tech Policy & Planning
Division of Tech Mgmt
Wis Department of Administration

Draft LRB 1857/1 revisions for a new Department of Information Services

Responses to drafter's note are first followed by other issues.

- ✓ 1. Use of Board is okay.
- ✓ 2. Staggered terms are okay.
- ✓ 3. Contract for services instead of attachment is okay.
- ✓ 4. TEACH should not transfer to the new department but remain attached to DOA. This is mainly and administrative services attachment. Not transferring the attachment however, would not preclude changing the cross-references from DOA to the new department regarding IT policy issues, etc.
- ✓ 5. ESG assignment and unclassified positions are okay.
- ✓ 6. Inclusion of a federal aid appn. Is okay.
- ✓ 7. The reference to state and federal law is okay.
- ✓ 8. Identify current versus additional resources is okay.
- ✓ 9. The budget compilation reference is okay.
- ✓ 10. Our assumption is the agency may submit a revised plan. This would be an administrative matter not requiring statutory language. Present draft is okay.
- ✓ 11. Any revision timetable could be set administratively and might vary if minor or major revisions are required/suggested. Present draft is okay.
- ✓ 12. On portfolio language the present draft is fine. No change.
- ✓ 13. The present draft is fine. No change.
- ✓ 14. On the appropriations a revision should, 1) reflect keeping (4) (is) for relay services a separate appropriation in the new department as suggested and then keeping the present language on the assessment, and 2) the new electronic communications appropriation for non-state should not be limited to private sector but encompass non-state entities in a broader way so other like local gov'ts, etc. could participate.
- ✓ 15. As noted in 14 keep the separate appropriation and the old language.
- ✓ 16. Definition of telecommunications chosen is fine.
- ✓ 17. Draft is okay. No change.

The analysis will change in certain places per the revisions.

- ✓ Page 6, Section 12 changes the TEACH attachment. As noted above TEACH should stay attached to DOA.
- ✓ Page 7, line 17: the intent was to have two citizens or members not specifically designated except by appointment, the thought of these "public" members was not intended to mean public officers or employees.

- ✗ Page 17, line 17 delete "major". Line 20 insert after procurements "under this subsection" ✗
- ✓ Page 18, line 6 delete 'major'.
- ✓ Page 19, line 11 after "(a)" add "and (b)". To repeal definition of small agency. ✗ 5.16.911(2)(u)
- ✓ Page 21, line 11ff, change renumbering of section to repeal of 16.971(3), as this provision is not used.
- ✓ Page 23, line 12ff. It was not out intent to include the federal government or to change the private sector entities here. Simply renumber without such amendment but do amend for CIO and department references.
- ✓ Page 27, line 20ff. Just a note there is another draft item for ECB that changes this and reconciling will need to be done.
- ✓ Page 30ff. There had been another draft to consolidate the Justice Information programs from 3 to 2 appropriations. We would still like to do that in this draft. The other draft was LRB-1915/2.
- ✓ Page 32, line 1, this is where a repeal of the relay services should be replaced by a renumbering, we have tentatively dubbed it 20.530(1)(ir).
- ✓ Page 32, line 12, our intent here was not just private sector but all nonstate entities. Please suggest appropriate revision.
- ✗ Page 33, line 4 -5, no moneys are any longer transferred to 20.680. Just change the amendment to delete the sentence. 20.680(2)(kd) repeal
- ✓ Page 37, line 17, delete "and scheduling".
- ✓ Page 41, lines 18 -21 should be changed. By keeping and renumbering the separate relay services appropriation only a cross-reference amendment required.
- ✓ Page 46, line 6ff, delete section 9149 since the TEACH board will remain attached to DOA.
- ✓ Page 48, line 2 the reference for (4)(is) will need to be redrafted since it will remain separate.

Kuesel, Jeffery

From: Caucutt, Dan
Sent: Friday, February 02, 2001 9:41 AM
To: Kuesel, Jeffery
Cc: Dombrowski, Cynthia; Wagner, Dick
Subject: FW: Revision to draft DOIS

Jeff: Attached are some additional minor changes to the DOIS draft. A group got together yesterday and Dick Wagner's notes below summarize well the consensus. All references are with respect to the /1 version, which is what was available. If you require clarification you may speak directly with Dick (given the lateness of the hour, as it were).

There was one other item not covered on Dick's list. It is raised by Info Tech. The material under s. 16.78, as amended, addresses centralization of procurement authority. The question raised is whether the scope of items which you've added would include licenses to use software. Apparently, the software companies now sell what has been referred to as "perpetual leases" to use programs such as MS Office. Staff in InfoTech ask if in your opinion the "contractual services" of the draft language would cover acquisition of the right to use software. I have to admit that the subtlety is lost on me, but the individual raising the question (who also an attorney) is an expert in procurement matters. Oversight on software leases is an area where substantial savings can be had through central coordination of purchasing, so I present the issue to you. The individual's name in InfoTech is Kent Sutheimer.

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

From: McMahon, Paul
Sent: Friday, February 02, 2001 8:50 AM
To: Wagner, Dick; Caucutt, Dan
Subject: FW: Revision to draft DOIS

Dick -- your list looked very thorough to me. Dan -- I mentioned this to Dick: Seemeyer thought we should add 3.00 PRS unclassified and so our B-2, etc maint. will/ needs to reflect same. She was going to double-check with GL but I told her, absent any negative feedback, the default would be to add the FTE.

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

From: Wagner, Dick
Sent: Thursday, February 1, 2001 3:37 PM
To: Caucutt, Dan
Cc: Bourque, Ann; McMahon, Paul; Reines, Bruce; Puntillo, Susan - DOA; Vickers, Dennis
Subject: Revision to draft DOIS



Revise1857_1.doc

The file shows my notes on the revisions we discussed. If there are others please let Dan or I know. We all know it ain't soup yet.