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DNOR
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1289/2

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DOA:.....Caucutt - BB0306, Abolition of Department of Electronic Government

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Do Not Gen

1 AN ACT...; relating to: abolition of the department of electronic government and
2 making appropriations.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill eliminates DEG and transfers the functions of DEG to DOA. The bill also creates a statutory division of DOA to be called the Division of Information Technology that assumes the functions of DEG. Currently, DEG manages the state's information technology and telecommunications services.

With certain exceptions, executive branch agencies other than the UW System are currently required to obtain information technology processing services from DEG. DEG may assess fees for its services without limitation and may remove information technology functions from executive branch agencies and assume control of the functions directly. DEG's budget for most functions is limited only by the revenue it receives. DEG may also provide certain services to state authorities, local governments, units of the federal government, private schools, postsecondary institutions, museums, zoos, and other entities in the private sector. In addition, DEG may make purchases without public notice or solicitation of bids or proposals and need not adhere to certain other purchasing requirements that apply to other state agencies. Under this bill, all requirements that apply with respect to DEG

DOA

continue to apply in DOA and DOA may exercise the powers and budgetary authority of DEG.

Current law also vests certain powers relating to information technology management with the chief information officer, who serves as the secretary of DEG. Most information technology and telecommunications purchases by executive branch agencies other than the UW System are subject to prior approval of the chief information officer. This bill transfers the powers of the chief information officer to ~~the administrator of the division of information technology~~. Currently, DEG is authorized to employ a deputy, executive assistant and three unclassified division administrators. This bill deletes the deputy, executive assistant, and administrators, but permits DOA to employ one additional unclassified division administrator. Currently, the Information Technology Management Board is attached to DEG. The board advises DEG and hears appeals by executive branch agencies concerning actions of the chief information officer. This bill attaches the board to DOA and directs the board to advise the Division of Information Technology and to hear appeals by executive branch agencies concerning actions of ~~the administrator~~. DOA

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

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

- 1 SECTION 1. 7.33 (4) and (5) of the statutes are amended to read:
- 2 7.33 (4) Except as otherwise provided in this subsection, each local
- 3 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), may, and each state agency shall,
- 4 upon proper application under sub. (3), permit each of its employees to serve as an
- 5 election official without loss of fringe benefits or seniority privileges earned for
- 6 scheduled working hours during the period specified in sub. (3), without loss of pay
- 7 for scheduled working hours during the period specified in sub. (3) except as provided
- 8 in sub. (5), and without any other penalty. For employees who are included in a
- 9 collective bargaining unit for which a representative is recognized or certified under
- 10 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a
- 11 collective bargaining agreement.

1 (5) Any employee of a local governmental unit, as defined in s. ~~22.01 16.97~~(7),
2 or state agency who obtains a paid leave of absence under sub. (4) in order to serve
3 as an election official under s. 7.30 shall certify in writing to the head of the local
4 governmental unit or state agency by which he or she is employed the amount of
5 compensation that the employee receives for such service. Upon receipt of the
6 certification, the head of the local governmental unit or state agency shall deduct
7 that amount from the employee's pay earned for scheduled working hours during the
8 period specified in sub. (2) when the employee is on a paid leave of absence.

9 **SECTION 2.** 13.101 (14) of the statutes is amended to read:

10 13.101 (14) With the concurrence of the joint committee on information policy
11 and technology, direct the department of ~~electronic government~~ administration to
12 report to the committee concerning any specific information technology system
13 project in accordance with s. 13.58 (5) (b) 4.

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

15 13.58 (5) (a) 5. Upon receipt of strategic plans from the department of ~~electronic~~
16 ~~government~~ administration, the joint committee on legislative organization and the
17 director of state courts, review and transmit comments concerning the plans to the
18 entities submitting the plans.

19 **SECTION 4.** 13.58 (5) (b) 1. of the statutes is amended to read:

20 13.58 (5) (b) 1. Direct the department of ~~electronic government~~ administration
21 to conduct studies or prepare reports on items related to the committee's duties under
22 par. (a).

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

24 13.58 (5) (b) 4. (intro.) With the concurrence of the joint committee on finance,
25 direct the department of ~~electronic government~~ administration to report

1 semiannually to the committee and the joint committee on finance concerning any
2 specific information technology system project which is being designed, developed,
3 tested or implemented and which the committees anticipate will have a total cost to
4 the state exceeding \$1,000,000 in the current or any succeeding fiscal biennium. The
5 report shall include all of the following:

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

7 13.90 (6) The joint committee on legislative organization shall adopt, revise
8 biennially and submit to the cochairpersons of the joint committee on information
9 policy and technology, the governor and the chief information officer ~~Administrator~~
10 ~~of the division of information technology in the department of administration,~~ Secretary, no
11 later than September 15 of each even-numbered year, a strategic plan for the
12 utilization of information technology to carry out the functions of the legislature and
13 legislative service agencies, as defined in s. 16.70 (6). The plan shall address the
14 business needs of the legislature and legislative service agencies and shall identify
15 all resources relating to information technology which the legislature and legislative
16 service agencies desire to acquire, contingent upon funding availability, the priority
17 for such acquisitions and the justification for such acquisitions. The plan shall also
18 identify any changes in the functioning of the legislature and legislative service
19 agencies under the plan.

20 SECTION 7. 13.93 (2) (h) of the statutes is amended to read:

21 13.93 (2) (h) Approve specifications and scheduling for computer databases
22 containing the Wisconsin statutes and for the printing of the Wisconsin statutes as
23 prescribed in ss. ~~22.03~~ 16.971 (6) and 35.56 (5).

24 SECTION 8. 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. ~~22.01~~ 16.97
2 (7).

3 SECTION 9. 15.07 (2) (L) of the statutes is amended 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~~ administrator of the
6 division of information technology in the department of administration shall serve
7 as secretary of that board.

8 SECTION 10. 15.103 (6) of the statutes is created to read:

9 15.103 (6) There is created in the department of administration a division of
10 information technology.

11 SECTION 11. 15.107 (7) (f) of the statutes is amended to read:

12 15.107 (7) (f) A representative of the ~~department of electronic government~~
13 ~~division of information technology in the department of administration.~~ *First 1/2*

14 SECTION 12. 15.21 of the statutes is repealed.

15 SECTION 13. 15.215 (title) of the statutes is repealed.

16 SECTION 14. 15.215 (1) of the statutes is renumbered 15.105 (27) and amended
17 to read:

18 15.105 (27) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an
19 information technology management board that is attached to the department of
20 ~~electronic government~~ administration under s. 15.03. The board shall consist of the
21 governor, the cochairpersons of the joint committee on information policy and
22 technology or a member of the legislature from the same house as a cochairperson
23 designated by that cochairperson, one member of the minority party in each house
24 of the legislature, appointed in the same manner as members of standing committees
25 are appointed, the secretary of administration, 2 heads of departments or

1 independent agencies appointed to serve at the pleasure of the governor, 2 other
2 members appointed to serve for 4-year terms, and the chief information officer
3 ~~administrator of the division of information technology in the department of~~
4 ~~administration.~~ Secretary
5 or his or her designee

6 SECTION 15. 16.43 of the statutes is amended to read:

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

16 SECTION 16. 16.61 (2) (af) of the statutes is amended to read:

17 16.61 (2) (af) "Form" has the meaning specified in s. ~~22.01~~ 16.97 (5p).

18 SECTION 17. 16.61 (3n) of the statutes is amended to read:

19 16.61 (3n) **EXEMPT FORMS.** The board may not receive or investigate complaints
20 about the forms specified in s. ~~22.03~~ 16.971 (2m).

21 SECTION 18. 16.70 (4m) of the statutes is amended to read:

22 16.70 (4m) "Information technology" has the meaning given in s. ~~22.01~~ 16.97

23 (6).

24 SECTION 19. 16.70 (15) of the statutes is amended to read:

25 16.70 (15) "Telecommunications" has the meaning given in s. ~~22.01~~ 16.97 (10).

SECTION 20. 16.71 (1m) of the statutes is amended to read:

1 16.71 (1m) The department shall not delegate to any executive branch agency,
 2 other than the board of regents of the University of Wisconsin System, the authority
 3 to enter into any contract for materials, supplies, equipment, or contractual services
 4 relating to information technology ~~or telecommunications~~ prior to review and
 5 approval of the contract by the chief information officer, ~~administrator of the division~~ ^{Department} ~~of information technology~~ ^{scored period}

6 ~~of information technology~~ ^{delete period} No executive branch agency, other than the board of
 7 regents of the University of Wisconsin System, may enter into any such contract
 8 without review and approval of the contract by the chief information officer
 9 ~~administrator of the division of information technology~~

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10 SECTION 21. 16.71 (2m) of the statutes is repealed.

11 SECTION 22. 16.71 (4) of the statutes is amended to read:

12 16.71 (4) ~~With the approval of the department of electronic government, the~~
 13 The department of ~~administration~~ shall delegate authority to the technology for
 14 educational achievement in Wisconsin board to make purchases of educational
 15 technology equipment for use by school districts, cooperative educational service
 16 agencies and public educational institutions in this state, upon request of the board.

17 SECTION 23. 16.72 (2) (a) of the statutes is amended to read:

18 16.72 (2) (a) The department ~~of administration~~ shall prepare standard
 19 specifications, as far as possible, for all state purchases. By "standard specifications"
 20 is meant a specification, either chemical or physical or both, prepared to describe in
 21 detail the article which the state desires to purchase, and trade names shall not be
 22 used. On the formulation, adoption and modification of any standard specifications,
 23 the department of administration shall also seek and be accorded without cost, the
 24 assistance, advice and cooperation of other agencies and officers. Each specification
 25 adopted for any commodity shall, insofar as possible, satisfy the requirements of any

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and all agencies which use it in common. ~~Any specifications for the purchase of materials, supplies, equipment, or contractual services for information technology or telecommunications purposes are subject to the approval of the chief information officer administrator of the division of information technology.~~

Striking

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SECTION 24. 16.72 (2) (b) of the statutes is amended to read:

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

SECTION 25. 16.72 (4) (a) of the statutes is amended to read:

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

25

1 ~~the department of electronic government~~, the legislature, the courts or legislative
2 service or judicial branch agencies do not require approval under this paragraph.

3 SECTION 26. 16.75 (3t) (a) of the statutes is amended to read:

4 16.75 (3t) (a) In this subsection, "form" has the meaning given under s. 22.01
5 16.97 (5p).

6 SECTION 27. 16.75 (6) (am) of the statutes is amended to read:

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

14 SECTION 28. 16.752 (12) (i) of the statutes is amended to read:

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

17 SECTION 29. 16.78^(+title) of the statutes is amended to read:

18 16.78 Purchases from ~~department of electronic government~~ division
19 of information technology; (1) Every agency other than the board of regents of
20 the University of Wisconsin System or an agency making purchases under s. 16.74
21 shall make all purchases of materials, supplies, equipment, and contractual services
22 relating to information technology or telecommunications from the ~~department of~~
23 ~~electronic government~~ division of information technology, unless the ~~department of~~
24 ~~electronic government~~ division of information technology requires the agency to
25 purchase the materials, supplies, equipment, or contractual services pursuant to a

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Handwritten annotations: "plain" with an arrow pointing to "16.78", and "(+title)" circled in a bubble.

¶ SEC# RA; 16.78(1); 16.78(1)(a)
¶ (INSERT "ABC")

1 master contract established under s. 22.05 16.972 (2) (b), or grants written
2 authorization to the agency to procure the materials, supplies, equipment, or
3 contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies,
4 equipment, or contractual services from another agency or to provide the materials,
5 supplies, equipment, or contractual services to itself. The board of regents of the
6 University of Wisconsin System may make purchases of materials, supplies,
7 equipment, and contractual services relating to information technology or
8 telecommunications from the department of electronic government division of
9 information technology.

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

13 (1) (a) ✓

14 SECTION 30. Subchapter VII (title) of chapter 16 [precedes s. 16.97] of the
15 statutes is amended to read:

16 CHAPTER 16
17 SUBCHAPTER VII
18 EDUCATIONAL INFORMATION
19 TECHNOLOGY

renumbered 16.97 (intro.)
and amended

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

Definition
(Intro.)

fix component

20 SECTION 31. 16.97 of the statutes is repealed and recreated to read:

21 16.97 Definitions. In this subchapter:

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

(5) "Division" means the division of information technology.

other
22
subs are
renumbered
23 in

24 SECTION 32. 16.974 (intro.) of the statutes is repealed.

25 SECTION 33. 16.974 (1) to (4) of the statutes are renumbered 16.971 (13) to (16).

¶ SEC# AM; 16.78(2)

PWF

1 **SECTION 34.** 19.36 (4) of the statutes is amended to read:

2 19.36 (4) **COMPUTER PROGRAMS AND DATA.** A computer program, as defined in s.
3 ~~22.03~~ 16.971 (4) (c), is not subject to examination or copying under s. 19.35 (1), but
4 the material used as input for a computer program or the material produced as a
5 product of the computer program is subject to the right of examination and copying,
6 except as otherwise provided in s. 19.35 or this section.

7 **SECTION 35.** 20.225 (1) (kb) of the statutes is amended to read:

8 20.225 (1) (kb) *Emergency weather warning system operation.* From the
9 moneys received by the department of ~~electronic government~~ administration for the
10 provision of state telecommunications to state agencies, the amounts in the schedule
11 for the operation of the emergency weather warning system under s. 39.11 (21).

12 **SECTION 36.** 20.275 (1) (s) of the statutes is amended to read:

13 20.275 (1) (s) *Telecommunications access; school districts; grant.* Biennially,
14 from the universal service fund, the amounts in the schedule to make payments to
15 telecommunications providers under contracts with the department of
16 administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are
17 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is); prior to January 1,
18 2006, to make grants to school districts under s. 44.73 (6); and, in the 1999–2000
19 fiscal year, to award a grant to the distance learning network under 1999 Wisconsin
20 Act 9, section 9148 (4w).

21 **SECTION 37.** 20.275 (1) (t) of the statutes is amended to read:

22 20.275 (1) (t) *Telecommunications access; private and technical colleges and*
23 *libraries.* Biennially, from the universal service fund, the amounts in the schedule
24 to make payments to telecommunications providers under contracts with the

1 department of administration under s. ~~16.974 (2)~~ 16.971 (14) to the extent that the
2 amounts due are not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is).

3 SECTION 38. 20.275 (1) (tm) of the statutes is amended to read:

4 20.275 (1) (tm) *Telecommunications access; private schools.* Biennially, from
5 the universal service fund, the amounts in the schedule to make payments to
6 telecommunications providers under contracts with the department of
7 administration under s. ~~16.974 (3)~~ 16.971 (15) to the extent that the amounts due are
8 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is) and, prior to January
9 1, 2006, to make grants to private schools under s. 44.73 (6).

10 SECTION 39. 20.275 (1) (tu) of the statutes is amended to read:

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

16 SECTION 40. 20.275 (1) (tw) of the statutes is amended to read:

17 20.275 (1) (tw) *Telecommunications access; secured correctional facilities.*
18 Biennially, from the universal service fund, the amounts in the schedule to make
19 payments to telecommunications providers under contracts with the department of
20 administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are
21 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (ke).

22 SECTION 41. 20.505 (1) (im) of the statutes is amended to read:

23 20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the
24 schedule to provide services and to repurchase inventory items that are provided
25 primarily to purchasers other than state agencies and to transfer to the

1 appropriation account under par. (kc) the amounts received from school districts
2 under s. 16.85 (15). All moneys received from the sale of services, other than services
3 provided under par. (is), and inventory items which are provided primarily to
4 purchasers other than state agencies shall be credited to this appropriation account.

5 SECTION 42. 20.505 (1) (is) of the statutes is created to read:

6 20.505 (1) (is) *Information technology and telecommunications services;*
7 *nonstate entities.* All moneys received from state authorities, units of the federal
8 government, local governmental units, and entities in the private sector for the
9 provision of computer services, telecommunications services, and supercomputer
10 services under ss. 16.972 (2) (b) and (c), 16.974 (2), and 44.73 (2) (d), to be used for
11 the purpose of providing those services.

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

12 SECTION 43. 20.505 (1) (it) of the statutes is created to read:

13 20.505 (1) (it) *Electronic communications services; nonstate entities.* All
14 moneys received from state authorities, units of the federal government, local
15 governmental units, and entities in the private sector for the provision of electronic
16 communications services under s. 16.974 (3), to be used for the purpose of providing
17 those services.

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

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

19 20.505 (1) (kg) *Electronic communications services; state agencies.* All moneys
20 received from state agencies for the provision of electronic communications services
21 under s. 16.974 (3), to be used for the purpose of providing those services.

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

1 **SECTION 45.** 20.505 (1) (kL) of the statutes is created to read:

2 20.505 (1) (kL) *Printing, mail processing, and information technology*
3 *processing services to agencies.* All moneys received from state agencies for the
4 provision of printing, mail processing, and information technology processing
5 services under ss. 16.972 and 16.973, to be used for the purpose of providing those
6 services.

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

7 **SECTION 46.** 20.505 (1) (kr) of the statutes is created to read:

8 20.505 (1) (kr) *Information technology development and management services.*
9 All moneys received from executive branch agencies for the provision of information
10 technology development and management services under s. 16.971, to be used for the
11 purpose of providing those services.

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

12 **SECTION 47.** 20.505 (6) (j) 12. of the statutes is amended to read:

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

15 **SECTION 48.** 20.530 (intro.) 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.

16 **SECTION 49.** 20.530 (1) (title) 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.

17 **SECTION 50.** 20.530 (1) (g) 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.

18 **SECTION 51.** 20.530 (1) (ir) of the statutes is renumbered 20.505 (1) (ir).

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

1 **SECTION 52.** 20.530 (1) (ja) of the statutes is renumbered 20.505 (1) (ja) and
2 amended to read:

3 20.505 (1) (ja) *Justice information systems.* The amounts in the schedule for
4 the development and operation of automated justice information systems under s.
5 ~~22.03 16.971~~ (9). Two-ninths of the moneys received under s. 814.635 (1) shall be
6 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.

7 **SECTION 53.** 20.530 (1) (ke) of the statutes is renumbered 20.505 (1) (ke) and
8 amended to read:

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

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

16 **SECTION 54.** 20.530 (1) (kp) of the statutes is renumbered 20.505 (1) (kp) and
17 amended to read:

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

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

1 SECTION 55. 20.530 (1) (kq) of the statutes is renumbered 20.505 (1) (kq) and
2 amended to read:

3 20.505 (1) (kq) *Justice information systems development, operation and*
4 *maintenance.* The amounts in the schedule for the purpose of developing, operating
5 and maintaining automated justice information systems under s. ~~22.03~~ 16.971 (9).
6 All moneys transferred from the appropriation account under s. ~~20.505 sub. (6) (j) 12.~~
7 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.

8 SECTION 56. 20.530 (1) (m) 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.

9 SECTION 57. 20.923 (4) (h) 2. 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.

10 SECTION 58. Chapter 22 (title) of the statutes is repealed.

11 SECTION 59. 22.01 (intro.) of the statutes is repealed.

12 SECTION 60. 22.01 (1), (2), (2m), (3) and (4) of the statutes are renumbered 16.97
13 (1m), (2), (2m), (3) and (4).

14 SECTION 61. 22.01 (5) of the statutes is repealed.

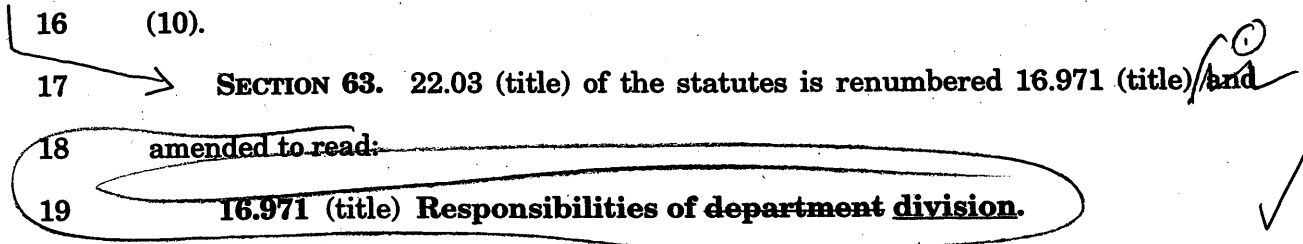
15 SECTION 62. 22.01 (5m) to (10) of the statutes are renumbered 16.97 (5m) to
16 (10).

17 SECTION 63. 22.03 (title) of the statutes is renumbered 16.971 (title) and

18 amended to read:

19 16.971 (title) Responsibilities of department division.

Fix COMPONENT



Fix
Component

1 SECTION 64. 22.03 (2) (intro.), (a) and (ae) of the statutes are renumbered
2 16.971 (2) (intro.), (a) and (ae) and amended to read.

3 16.971 (2) (intro.) The department division shall:

4 (a) Ensure that an adequate level of information technology services is made
5 available to all agencies by providing systems analysis and application programming
6 services to augment agency resources, as requested. The department division shall
7 also ensure that executive branch agencies, other than the board of regents of the
8 University of Wisconsin System, make effective and efficient use of the information
9 technology resources of the state. The department division shall, in cooperation with
10 agencies, establish policies, procedures and planning processes, for the
11 administration of information technology services, which executive branch agencies
12 shall follow. The policies, procedures and processes shall address the needs of
13 agencies, other than the board of regents of the University of Wisconsin System, to
14 carry out their functions. The department division shall monitor adherence to these
15 policies, procedures and processes.

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

24 SECTION 65. 22.03 (2) (am) to (k) of the statutes are renumbered 16.971 (2) (am)
25 to (k).

~~strategic~~
plan

1 SECTION 66. 22.03 (2) (L) to (m) of the statutes are renumbered 16.971 (2) (L)
2 to (m) and amended to read:

3 16.971 (2) (L) Require each executive branch agency, other than the board of
4 regents of the University of Wisconsin System, to adopt and submit to the
5 ~~department~~ ~~division~~, in a form specified by the ~~department~~ ~~division~~, no later than
6 March 1 of each year, a strategic plan for the utilization of information technology
7 to carry out the functions of the agency in the succeeding fiscal year for review and
8 approval under s. ~~22.13~~ 16.976.

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

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

Fix Component

1 SECTION 67. 22.03 (2) (n) of the statutes is renumbered 16.971 (2) (n).

2 SECTION 68. 22.03 (2m) (intro.) of the statutes is renumbered 16.971 (2m)
3 (intro.) ~~and amended to read.~~

4 16.971 (2m) (intro.) The following forms are not subject to review or approval
5 by the department division:

6 SECTION 69. 22.03 (2m) (a) to (h) of the statutes are renumbered 16.971 (2m)
7 (a) to (h).

8 SECTION 70. 22.03 (3) ~~and (4)~~ ¹⁵ of the statutes ~~are~~ renumbered 16.971 (3) ~~and~~
9 ~~and~~ ^{14/19} and amended to read:

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

restore main

1 (b) The chief information officer ~~administrator~~ ^{Department} shall promptly notify the joint
 2 committee on finance in writing of the proposed acquisition of any information
 3 technology resource that the ~~department~~ ^{restored} ~~division~~ considers major or that is likely to
 4 result in a substantive change in service, and that was not considered in the regular
 5 budgeting process and is to be financed from program revenues or corresponding
 6 revenues from program receipts in a segregated fund.

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

12 SECTION 71. 22.03 (4) ~~(1) and (6)~~ ^{is} and (6) of the statutes are renumbered 16.971
 13 (4) ~~and (6)~~.

14 SECTION 72. 22.03 (9) ~~and (11)~~ ^{is} of the statutes are renumbered 16.971 (9) ~~and~~
 15 ~~and amended to read:~~
 16 ^{Stat: leave as typed}
 16.971 (9) In conjunction with the public defender board, the director of state

17 courts, the departments of corrections and justice and district attorneys, the
 18 ~~department of electronic government~~ ^{plain} ~~division~~ ^{Department} may maintain, promote and
 19 coordinate automated justice information systems that are compatible among
 20 counties and the officers and agencies specified in this subsection, using the moneys
 21 appropriated under s. 20.530 20.505 (1) (ja), (kp) and (kq). The ~~department of~~ ^{plain}
 22 ~~electronic government~~ ^{Department} ~~division~~ shall annually report to the legislature under s.
 23 13.172 (2) concerning the ~~department's~~ ^{plain} ~~division's~~ efforts to improve and increase the
 24 efficiency of integration of justice information systems.

→ SECTION # RN; 22.03 (11); 16.971 (11) ✓

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

Fix
component

4 → SECTION 73. 22.05 (title) of the statutes is renumbered 16.972 (title) and
5 amended to read:

6 ~~16.972 (title) Powers of the department division.~~

7 SECTION 74. 22.05 (1) of the statutes is renumbered 16.972 (1).

Fix
component

8 SECTION 75. 22.05 (2) (intro.) and (a) ~~to (d)~~ of the statutes are renumbered
9 16.972 (2) (intro.) and (a) ^{to (d)} and amended to read:

10 ~~16.972 (2) (intro.) The department division may:~~

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

→ SECTION # 22.05 (2) (b) and (c) of the statutes are renumbered 16.972 (2) (b) and (c) and amended to read:

13 16.972 (2) (b) Provide such computer services and telecommunications services to local
14 governmental units and the broadcasting corporation and provide such
15 telecommunications services to qualified private schools, postsecondary
16 institutions, museums and zoos, as the ~~department division~~ considers to be
17 appropriate and as the ~~department division~~ can efficiently and economically provide.

Plain

18 The ~~department division~~ may exercise this power only if in doing so it maintains the
19 services it provides at least at the same levels that it provides prior to exercising this
20 power and it does not increase the rates chargeable to users served prior to exercise
21 of this power as a result of exercising this power. The ~~department division~~ may
22 charge local governmental units, the broadcasting corporation, and qualified private
23 schools, postsecondary institutions, museums and zoos, for services provided to them
24 under this paragraph in accordance with a methodology determined by the chief
25 information officer ~~administrator~~. Use of telecommunications services by a qualified

↑
keep plain period

1 private school or postsecondary institution shall be subject to the same terms and
2 conditions that apply to a municipality using the same services. The ~~department~~^{restore plain}
3 ~~division~~ shall prescribe eligibility requirements for qualified museums and zoos to
4 receive telecommunications services under this paragraph.

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

14 determined by the chief information officer ~~department~~^{department}

→ SECTION # RN; 22.05 (2)(d); 16.972(2)(d)

keep plain period

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

23 SECTION 76. 22.05 (2) (e) of the statutes is renumbered 16.972 (2) (e).

24 SECTION 77. 22.05 (2) (f) and (g) of the statutes are renumbered 16.972 (2) (f)

25 and (g) and amended to read:

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

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

19 SECTION 78. 22.05 (2) ~~ADMIN~~ (i) of the statutes ^{is} are renumbered 16.972 (2) ~~ADMIN~~
 20 ~~ADMIN~~ (i).

21 SECTION 79. 22.07 (intro.) ~~ADMIN~~ ^{is} of the statutes are renumbered 16.973
 22 (intro.) (1) and (2) and amended to read.

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

plain restore

plain restore

JWS 23-18

FIX COMPONENT

→ SECTION # RA; 22.07 (1) and (2); 16.973 (1) and (2)

1 #16.973 (1) Provide or contract with a public or private entity to provide computer
2 services to agencies. The ~~department~~ ^{Private} ~~division~~ may charge agencies for services
3 provided to them under this subsection in accordance with a methodology
4 determined by the chief information officer ~~administrator~~ ^{department}

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

8 SECTION 80. 22.07 (3) ^{to (7)} of the statutes ^{strike} are ^{are} renumbered 16.973 (3) ^{to (7)}

9 SECTION 81. 22.07 (4) ~~to (8)~~ of the statutes are renumbered 16.973 (4) to (8) and
10 amended to read:

11 16.973 (4) Ensure responsiveness to the needs of agencies for delivery of
12 high-quality information technology processing services on an efficient and
13 economical basis, while not unduly affecting the privacy of individuals who are the
14 subjects of the information being processed by the ~~department~~ division.

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

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

22 (7) Prescribe and revise as necessary performance measures to ensure
23 financial controls and accountability, optimal personnel utilization, and customer
24 satisfaction for all information technology functions in the executive branch outside
25 of the University of Wisconsin System and annually, no later than March 31, report

1 to the joint committee on information policy and technology and the board
2 concerning the performance measures utilized by the department division and the
3 actual performance of the department division and the executive branch agencies
4 measured against the performance measures then in effect.

5 → SECTION RA; 22.07 (8); 16.973 (8)
6 16.973 (8) Offer the opportunity to local governmental units to voluntarily obtain
7 computer or supercomputer services from the department division when those
8 services are provided under s. 22.05 16.972 (2) (b) or (c), and to voluntarily
9 participate in any master contract established by the department division under s.
10 22.05 16.972 (2) (h) or in the use of any informational system or device provided by
11 the department division under 22.09 16.974 (3).

11 SECTION 82. 22.07 (9) of the statutes is renumbered 16.973 (9).

12 SECTION 83. 22.09 (intro.) and (1) to (3) of the statutes are renumbered 16.974
13 (intro.) and (1) to (3) and amended to read:

14 16.974 Powers of the chief information officer administrator (intro.)

15 The chief information officer administrator may:

16 → SECTION RA; 22.09 (1); 16.974 (1)
17 (1) Establish and collect assessments and charges for all authorized services
18 provided by the department division, subject to applicable agreements under sub.

19 (2) → SECTION RA; 22.09 (2) and (3); 16.974 (2) and (3)

20 16.974 (2) Subject to s. 22.05 16.972 (2) (b), enter into and enforce an agreement with
21 any agency, any authority, any unit of the federal government, any local
22 governmental unit, or any entity in the private sector to provide services authorized
23 to be provided by the department division to that agency, authority, unit, or entity
24 at a cost specified in the agreement.

25 (3) Develop or operate and maintain any system or device facilitating Internet
or telephone access to information about programs of agencies, authorities, local

JNS 23
25-23
24

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

hw 5 ✓
20-10
FIX COMPONENT

11 SECTION 84. 22.09 (5) of the statutes is renumbered 16.974 (5).

12 SECTION 85. 22.11 of the statutes is renumbered 16.975 and amended to read:

13 ~~16.975~~ Access to information. The department division shall withhold from
 14 access under s. 19.35 (1) all information submitted to the department division by
 15 agencies, authorities, units of the federal government, local governmental units or
 16 entities in the private sector for the purpose of processing. The department division
 17 may not process such information without the consent of the agency, authority, unit
 18 or other entity which submitted the information and may not withhold such
 19 information from the agency, authority, unit or other entity or from any other person
 20 authorized by the agency, authority, unit or entity to have access to the information.
 21 The agency, authority, unit or other entity submitting the information remains the
 22 custodian of the information while it is in the custody of the department division and
 23 access to such information by that agency, authority, unit or entity or any other
 24 person shall be determined by that agency, authority, unit or other entity and in
 25 accordance with law.

1 SECTION 86. 22.13 (title) of the statutes is renumbered 16.976 (title).

2 SECTION 87. 22.13 (1) of the statutes is renumbered 16.976 (1) and amended
3 to read:

4 16.976 (1) As a part of each proposed strategic plan submitted under s. 22.03
5 16.971 (2) (L), the ~~department division~~ ^{expiration} shall require each executive branch agency
6 to address the business needs of the agency and to identify all proposed information
7 technology development projects that serve those business needs, the priority for
8 undertaking such projects, and the justification for each project, including the
9 anticipated benefits of the project. Each proposed plan shall identify any changes
10 in the functioning of the agency under the plan. In each even-numbered year, the
11 plan shall include identification of any information technology development project
12 that the agency plans to include in its biennial budget request under s. 16.42 (1). ✓

13 SECTION 88. 22.13 (2) of the statutes is renumbered 16.976 (2).

14 SECTION 89. 22.13 (3) to ⁽⁵⁾~~(6)~~ of the statutes are renumbered 16.976 (3) to ⁽⁵⁾~~(6)~~ and
15 amended to read:

16 16.976 (3) Following receipt of a proposed strategic plan from an executive
17 branch agency, the chief information officer ~~administrator~~ ^{department} shall, before June 1, notify
18 the agency of any concerns that the officer ~~administrator~~ ^{department} may have regarding the
19 plan and provide the agency with his or her ^{its} recommendations regarding the
20 proposed plan. The chief information officer ~~administrator~~ ^{department} may also submit any
21 concerns or recommendations regarding any proposed plan to the board for its
22 consideration. The board shall then consider the proposed plan and provide the chief
23 information officer ~~administrator~~ ^{department} with its recommendations regarding the plan. The
24 executive branch agency may submit modifications to its proposed plan in response
25 to any recommendations.

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

4 (5) No executive branch agency, other than the board of regents of the
5 University of Wisconsin System, may implement a new or revised information
6 technology development project authorized under a strategic plan until the
7 implementation is approved by the chief information officer ~~administrator~~ ^{department} in
8 accordance with procedures prescribed by the officer ~~administrator~~ ^{department}.

9 → ~~SECTION 89 RN; 22.13(6); 16.976(6)~~
(6) The ~~department division~~ shall consult with the joint committee on
10 information policy and technology in providing guidance for planning by executive
11 branch agencies.

Fix COMPONENT →

12 SECTION 90. 22.15 (intro.) of the statutes is renumbered 16.977 (intro.) ~~and~~
13 amended to read:

14 **16.977 Information technology portfolio management.** (intro.) With the
15 assistance of executive branch agencies and the advice of the board, the ~~department~~
16 ~~division~~ shall manage the information technology portfolio of state government in
17 accordance with a management structure that includes all of the following:

18 SECTION 91. 22.15 (1) to (3) of the statutes are renumbered 16.977 (1) to (3).

19 SECTION 92. 22.17 (title) of the statutes is renumbered 16.978 (title).

20 SECTION 93. 22.17 (1) to (4) of the statutes are renumbered 16.978 (1) to (4) and
21 amended to read:

22 (22) 16.978 (1) The board shall provide the chief information officer ~~administrator~~ ^{department}
23 with its recommendations concerning any elements of the strategic plan of an
24 executive branch agency that are referred to the board under s. ~~22.13~~ 16.976 (3).

1 (2) The board may advise the chief information officer ~~administrator~~ ^{department} with
2 respect to management of the information technology portfolio of state government
3 under s. ~~22.15~~ 16.977.

4 (3) The board may, upon petition of an executive branch agency, review any
5 decision of the chief information officer ~~administrator~~ ^{department} under this chapter affecting
6 that agency. Upon review, the board may affirm, modify, or set aside the decision. If
7 the board modifies or sets aside the decision of the chief information officer
8 ~~administrator~~ ^{department}, the decision of the board stands as the decision of the chief
9 information officer ~~administrator~~ ^{department} and the decision is not subject to further review or
10 appeal.

INS 29-11

11 (4) The board may monitor progress in attaining goals for information
12 technology and telecommunications development set by the chief information officer
13 ~~administrator~~ ^{department} or executive branch agencies, other than the board of regents of the
14 University of Wisconsin System, and may make recommendations to the officer
15 ~~administrator~~ ^{department} or agencies concerning appropriate means of attaining those goals.

Fix
Component

16 SECTION 94. 22.19 of the statutes is renumbered 16.9785 ¹ and amended to read
17 16.9785 Purchases of computers by teachers. The department division
18 shall negotiate with private vendors to facilitate the purchase of computers and other
19 educational technology, as defined in s. 24.60 (1r), by public and private elementary
20 and secondary school teachers for their private use. The department division shall
21 attempt to make available types of computers and other educational technology
22 under this section that will encourage and assist teachers in becoming
23 knowledgeable about the technology and its uses and potential uses in education.

24 SECTION 95. 22.41 (title) of the statutes is renumbered 16.979 (title).

Fix
COMMENT

SECTION 96. 22.41 (2) (intro.) of the statutes is renumbered 16.979 (2) (intro.)

2 and amended to read:

3 16.979 (2) POWERS AND DUTIES. (intro.) The department division shall ensure
4 maximum utility, cost-benefit and operational efficiency of all telecommunications
5 systems and activities of this state, and those which interface with cities, counties,
6 villages, towns, other states and the federal government. The department division,
7 with the assistance and cooperation of all other agencies, shall:

8 SECTION 97. 22.41 (2) (a) to (f) of the statutes are renumbered 16.979 (2) (a) to
9 (f).

Fix
COMMENT

10 SECTION 98. 22.41 (3) of the statutes is renumbered 16.979 (3) and amended

11 to read:

12 ~~16.979 (3) PRIVATE COLLEGE AND UNIVERSITY PARTICIPATION IN STATE~~
13 ~~TELECOMMUNICATIONS NETWORK~~ The department division may allow regionally
14 accredited 4-year nonprofit colleges and universities that are incorporated in this
15 state or that have their regional headquarters and principal place of business in this
16 state to participate in any telecommunications network administered by the
17 department division.

18 SECTION 99. 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. 22.01
20 16.97 (7).

21 SECTION 100. 36.25 (38) (b) 6. of the statutes is amended to read:

22 36.25 (38) (b) 6. To pay the department of ~~electronic government~~
23 administration for telecommunications services provided under s. 22.05 16.972 (1).

24 SECTION 101. 44.70 (4) of the statutes is amended to read:

25 44.70 (4) "Telecommunications" has the meaning given in s. 22.01 16.97 (10).

1 **SECTION 102.** 44.71 (2) (g) of the statutes is amended to read:

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

11 **SECTION 103.** 44.71 (2) (h) of the statutes is amended to read:

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

19 **SECTION 104.** 44.73 (1) of the statutes is amended to read:

20 44.73 (1) Except as provided in s. 196.218 (4t), the board, in consultation with
21 the department ~~and subject to the approval of the department of electronic~~
22 ~~government~~, 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 105.** 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~~ 16.971 (13) to (16).

5 **SECTION 106.** 44.73 (6) (a) of the statutes is amended to read:

6 44.73 (6) (a) From the appropriation under s. 20.275 (1) (s) or (tm), the board
7 may award an annual grant to a school district or private school that had in effect
8 on October 14, 1997, a contract for access to a data line or video link, as documented
9 by the board. The board shall determine the amount of the grant, which shall be
10 equal to the cost incurred by the state to provide telecommunications access to a
11 school district or private school under a contract entered into under s. ~~16.974 (1) or~~
12 ~~(3)~~ 16.971 (13) or (15) less the amount that the school district or private school would
13 be paying under sub. (2) (d) if the school district or private school were participating
14 in the program established under sub. (1), except that the amount may not be greater
15 than the cost that a school district or private school incurs under the contract in effect
16 on 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 December 31, 2005.

19 **SECTION 107.** 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. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services
22 under this section.

23 **SECTION 108.** 196.218 (5) (a) 5. of the statutes is amended to read:

24 196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 16.971
25 (13) to (16) to the extent that these costs are not paid under s. 44.73 (2) (d), except

1 that no moneys in the universal service fund may be used to pay installation costs
2 that are necessary for a political subdivision to obtain access to bandwidth under a
3 shared service agreement under s. 44.73 (2r) (a).

4 SECTION 109. 196.218 (5) (a) 6. of the statutes is amended to read:

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

9 SECTION 110. 196.858 (1) and (2) of the statutes are amended to read:

10 196.858 (1) The commission shall annually assess against local exchange and
11 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the
12 amounts appropriated under s. ~~20.530~~ 20.505 (1) (ir).

13 (2) The commission shall assess a sum equal to the annual total amount under
14 sub. (1) to local exchange and interexchange telecommunications utilities in
15 proportion to their gross operating revenues during the last calendar year. If total
16 expenditures for telephone relay service exceeded the payment made under this
17 section in the prior year, the commission shall charge the remainder to assessed
18 telecommunications utilities in proportion to their gross operating revenues during
19 the last calendar year. A telecommunications utility shall pay the assessment within
20 30 days after the bill has been mailed to the assessed telecommunication utility. The
21 bill constitutes notice of the assessment and demand of payment. Payments shall
22 be credited to the appropriation account under s. ~~20.530~~ 20.505 (1) (ir).

23 SECTION 111. 221.0320 (3) (a) of the statutes is amended to read:

24 221.0320 (3) (a) In this subsection, "local governmental unit" has the meaning
25 given in s. ~~22.01~~ 16.97 (7).

1 **SECTION 112.** 230.08 (2) (e) 1. of the statutes is amended to read:

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

3 **SECTION 113.** 230.08 (2) (e) 3r. of the statutes is repealed.

4 **SECTION 114.** 283.84 (1) (c) of the statutes is amended to read:

5 283.84 (1) (c) Reaches an agreement with the department or a local
6 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), under which the person pays
7 money to the department or local governmental unit and the department or local
8 governmental unit uses the money to reduce water pollution in the project area.

9 **SECTION 115.** 758.19 (7) of the statutes is amended to read:

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

22 **SECTION 9115. Nonstatutory provisions; electronic government.**

23 (1) **ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT.**

24 (a) *Assets and liabilities.* Except as provided in SECTION 9215 (1) of this act, on
25 the effective date of this paragraph, the assets and liabilities of the department of

1 electronic government shall become assets and liabilities of the department of
2 administration.

3 (b) *Positions and employees.*

4 1. On the effective date of this subdivision, all full-time equivalent positions
5 in the department of electronic government, except the positions occupied by the
6 secretary, the deputy secretary, the executive assistant, and 2 division administrator
7 positions determined by the secretary of administration, are transferred to the
8 department of administration.

9 2. All incumbent employees holding positions that are transferred under
10 subdivision 1. are transferred on the effective date of this subdivision to the
11 department of administration.

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

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

21 (d) *Contracts.* All contracts entered into by the department of electronic
22 government that are in effect on the effective date of this paragraph remain in effect
23 and are transferred to the department of administration. The department of
24 administration shall carry out any contractual obligations under such a contract

1 until the contract is modified or rescinded by the department of administration to the
2 extent allowed under the contract.

3 (e) *Rules and orders.* All rules promulgated by the department of electronic
4 government that are in effect on the effective date of this paragraph remain in effect
5 until their specified expiration dates or until amended or repealed by the department
6 of administration. All orders issued by the department of electronic government that
7 are in effect on the effective date of this paragraph remain in effect until their
8 specified expiration dates or until modified or rescinded by the department of
9 administration.

10 (f) *Pending matters.* Any matter pending with the department of electronic
11 government on the effective date of this paragraph is transferred to the department
12 of administration, and all materials submitted to or actions taken by the department
13 of electronic government with respect to the pending matter are considered as having
14 been submitted to or taken by the department of administration.

15 **SECTION 9215. Appropriation changes; electronic government.**

16 (1) APPROPRIATION ACCOUNT BALANCE TRANSFERS; ELECTRONIC GOVERNMENT.

17 (a) The unencumbered balance in the appropriation account under section
18 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to gifts,
19 grants and bequests received by the department of electronic government, as
20 determined by the secretary of administration, is transferred to the appropriation
21 account under section 20.505 (1) (j) of the statutes.

22 (b) The unencumbered balance in the appropriation account under section
23 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources
24 specified in sections 16.972 (2) (b) and (c) and 16.974 (2) of the statutes, as affected
25 by this act, and section 44.73 (2) (d) of the statutes, for the provision of computer

1 services, telecommunications services, and supercomputer services to state
2 authorities, units of the federal government, local governmental units, and entities
3 in the private sector, as determined by the secretary of administration, is transferred
4 to the appropriation account under section 20.505 (1) (is) of the statutes, as created
5 by this act.

6 (c) The unencumbered balance in the appropriation account under section
7 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source
8 specified in section 16.974 (3) of the statutes, as affected by this act, for the provision
9 of electronic communications services to state authorities, units of the federal
10 government, local governmental units, and entities in the private sector, as
11 determined by the secretary of administration, is transferred to the appropriation
12 account under section 20.505 (1) (it) of the statutes, as created by this act.

13 (d) The unencumbered balance in the appropriation account under section
14 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source
15 specified in section 16.974 (3) of the statutes, as affected by this act, for the provision
16 of electronic communications services to state agencies, as determined by the
17 secretary of administration, is transferred to the appropriation account under
18 section 20.505 (1) (kg) of the statutes, as created by this act.

19 (e) The unencumbered balance in the appropriation account under section
20 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources
21 specified in sections 16.972 and 16.973 of the statutes, as affected by this act, for the
22 provision of printing, mail processing, and information technology processing
23 services to state agencies, as determined by the secretary of administration, is
24 transferred to the appropriation account under section 20.505 (1) (kL) of the statutes,
25 as created by this act.

1 (f) The unencumbered balance in the appropriation account under section
2 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source
3 specified in section 16.971 (11) of the statutes, as affected by this act, for the provision
4 of information technology development and management services to executive
5 branch agencies, as determined by the secretary of administration, is transferred to
6 the appropriation account under section 20.505 (1) (kr) of the statutes, as created by
7 this act.

8 (g) The unencumbered balance in the appropriation account under section
9 20.530 (1) (m) of the statutes, as affected by this act, is transferred to the
10 appropriation account under section 20.505 (1) (mb) of the statutes.

11

(END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1122/P1ins2
JTK.....

PWS 2A

Currently, no state agency in the executive branch, other than the board of regents of the University of Wisconsin (UW) System, may procure telecommunications materials, supplies, equipment or services from any source except the Department of Electronic Government (DEG) unless DEG permits otherwise. No executive branch agency, except the board of regents of the UW System, may enter into a contract for telecommunications materials, supplies, equipment or services without approval of the contract by the state chief information officer (secretary of electronic government). DEG may enter into statewide master contracts for telecommunications materials, supplies, equipment or services and may require every executive branch agency, except the board of regents of the UW System, to obtain telecommunications materials, supplies, equipment and services under a master contract. The chief information officer may assess any executive branch agency, except the board of regents of the UW System, for the costs incurred by DEG of systems or devices relating to telecommunications that are developed, operated or maintained by DEG. The Information Technology Management Board, which is an autonomous board attached to DEG, may monitor progress in achieving goals for telecommunications development set by executive branch agencies other than the board of regents of the UW System.

This bill deletes exemption of the board of regents of the UW System from all these laws, thereby making the board's actions subject to the authority of the chief information officer and the Information Technology Management Board.

DOA

LPSes Proof all insert material word for word

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

16.71 (1m) The department shall not delegate to any executive branch agency, other than the board of regents of the University of Wisconsin System, the authority to enter into any contract for materials, supplies, equipment, or contractual services relating to information technology or telecommunications prior to review and approval of the contract by the chief information officer.

The department shall not delegate to any executive branch agency the authority to enter into any contract for materials, supplies, equipment, or contractual services relating to telecommunications prior to review and approval of the contract by the ~~chief information officer~~ department information officer. No executive branch agency, other than the board of regents of the University of Wisconsin System, may enter into any such contract for which review is required under this subsection without review and approval of the contract by the ~~chief information officer~~ department.

WS 7-6

History: 1977 c. 418; 1983 a. 333; 1985 a. 29, 300; 1987 a. 119; 1989 a. 31; 1991 a. 39, 269; 1995 a. 27; 1997 a. 27; 1999 a. 105; 2001 a. 16.

SECTION 2. 16.78 of the statutes is amended to read:

16.78 Purchases from department of electronic government. (1) Every

(a) Except as authorized in this par. (b), every agency other than the board of regents of the University of Wisconsin System or an agency making purchases under s. 16.74 shall make all purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the department of electronic government, unless, ~~the department of electronic government~~ division of information technology. Except as authorized in par. (b), every agency except an agency making purchases under s. 16.74 shall make all purchases of materials, supplies, equipment, and contractual services relating to telecommunications from the ~~department of electronic government~~ division of information technology.

(a) 16.78

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relating to telecommunications that are included under the contract pursuant to the terms of the contract.

History: 2001 a. 16 ss. 361 to 365, 1029; stats. 2001 s. 22.05.

~~SECTION 4. 22.09 (3) of the statutes is amended to read:~~

~~22.09~~ (3) Develop or operate and maintain any system or device facilitating Internet or telephone access to information about programs of agencies, authorities, local governmental units, or entities in the private sector, or otherwise permitting the transaction of business by agencies, authorities, local governmental units, or entities in the private sector by means of electronic communication. The ~~chief information officer~~ ^{department} may assess executive branch agencies, other than the board of regents of the University of Wisconsin System, for the costs of systems or devices relating to information technology that are developed, operated, or maintained

under this subsection in accordance with a methodology determined by the ~~officer~~ ^{department}
The ~~chief information officer~~ ^{department} may assess any executive branch agency for the costs of systems or devices relating to telecommunications that are developed, operated, or maintained under this subsection in accordance with a methodology determined

by the ~~officer~~ ^{department}. The ~~chief information officer~~ ^{department} may also charge any agency, authority, local governmental unit, or entity in the private sector for such costs as a component of any services provided by the department to that agency, authority, local governmental unit, or entity.

History: 2001 a. 16.

~~SECTION 5. 22.09 (5) of the statutes is~~ ^{renumbered 16.974 (5) and} amended to read:

~~22.09~~ (5) Review and approve, approve with modifications, or disapprove any proposed contract for the purchase of materials, supplies, equipment, or contractual services relating to information technology ~~or telecommunications~~ by an executive branch agency, other than the board of regents of the University of Wisconsin

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~~(b) Paragraph (a) does not apply if the department of electronic government~~
 requires the agency to purchase the materials, supplies, equipment, or contractual
 services pursuant to a master contract established under s. ~~22.05~~^{16,972}(2) (h), or grants
 written authorization to the agency to procure the materials, supplies, equipment,
 or contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies,
 equipment, or contractual services from another agency or to provide the materials,
 supplies, equipment, or contractual services to itself. The board of regents of the
 University of Wisconsin System may make purchases of materials, supplies,
 equipment, and contractual services relating to information technology or
 telecommunications from the ~~department of electronic government~~^{division of information technology}.

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

History: 1991 a. 39; 2001 a. 16, 104.

SECTION 3. 22.05 (2) (h) of the statutes is ~~amended to read:~~
~~22.05~~^{16,972} (2) (h) Establish master contracts for the purchase of materials, supplies,

equipment, or contractual services relating to information technology or
 telecommunications for use by agencies, authorities, local governmental units, or
 entities in the private sector ~~and~~. The department may require any executive branch
 agency, other than the board of regents of the University of Wisconsin System, to
 make any purchases of materials, supplies, equipment, or contractual services
 relating to information technology that are included under the contract pursuant to
 the terms of the contract. The department may require any executive branch agency
 to make purchases of materials, supplies, equipment, or contractual services

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System, and review and approve, approve with modifications, or disapprove any proposed contract for the purchase of materials, supplies, equipment, or contractual services relating to telecommunications by any executive branch agency.

plain period

History: 2001 a. 16.

~~SECTION 6. 22.17 (4) of the statutes is amended to read:~~

~~22.17~~ (4) The board may monitor progress in attaining goals for information technology and telecommunications development set by the ~~chief information officer~~ department or executive branch agencies, other than the board of regents of the University of Wisconsin System, and may monitor progress in attaining goals for telecommunications development set by the ~~chief information officer~~ department or executive branch agencies. The board ^{plainspace} may also make recommendations to the ~~officer~~ officer or agencies concerning appropriate means of attaining those goals.

JWS
29-11

History: 2001 a. 16.

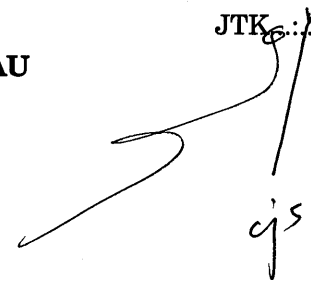
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department

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

LRB-1289/2dn

JTK:.....

Handwritten signature and initials. The signature is a large, stylized cursive mark. Below it, the initials 'jts' are written in a smaller, simpler cursive hand.

Dan Caucutt: ✓

1. In s. 15.07 (2) (L), stats., I retained the administrator as secretary of the information technology management board because it seemed to me unlikely that the secretary would want to serve on this board personally and it also seemed unlikely that as long as we have the administrator, the secretary would want someone else to serve. ✓

2. The deleted references to the board of regents may be found in ss. 16.71 (1m), 16.78, 22.05 (2) (h), 22.09 (3) and (5) and 22.17 (4), stats. ✓

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1289/2dn
JTK:cjs:rs

January 30, 2003

Dan Caucutt:

1. In s. 15.07 (2) (L), stats., I retained the administrator as secretary of the information technology management board because it seemed to me unlikely that the secretary would want to serve on this board personally and it also seemed unlikely that as long as we have the administrator, the secretary would want someone else to serve.

2. The deleted references to the board of regents may be found in ss. 16.71 (1m), 16.78, 22.05 (2) (h), 22.09 (3) and (5), and 22.17 (4), stats.

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

Kuesel, Jeffery

To: Caucutt, Dan
Subject: RE: Return of DEG

Dan,
The draft left my desk some time ago. These changes will necessitate another redraft. I can't tell if I'll have any questions just by looking at this; I'll have to get back to you if I do.
Jeff

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

From: Caucutt, Dan
Sent: Tuesday, January 28, 2003 2:04 PM
To: Kuesel, Jeffery
Subject: FW: Return of DEG

Jeff: These modifications make sense to me; can you incorporate?

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

From: Wagner, Dick
Sent: Tuesday, January 28, 2003 11:39 AM
To: Caucutt, Dan
Cc: Reines, Bruce - DEG
Subject: Return of DEG

In the interest of simplicity and functioning.

And in line with DOA performance measure goals of reducing appropriations and the added complex accounting staff work that goes with multiple financial layering, here are changes in the proposed appropriation structure for the return of DEG.

In the field of data processing and electronic communications the distinctions of one day are often gone the next as the technology changes which made services seem distinct at one time but not in another. Thus, it is proposed not to create new appropriations for electronic communications, that being the proposed 20.505(1)(it) and the 20.505(1)(kg). The related references to services under 16.974 can be included respectively in the proposed 20.505(1)(is) and 20.505(1)(kL).

Likewise the proposed 20.505(1)(kr) should not be created and the proposed reference to 16.971 included under 20.505(1)(kL).

This would leave a main appn. for technology in all its forms for state agencies, one for non-state entities. Telecommunications would remain in one chief appn. (ke) with a second one (ir) for Relay Services.

Regarding the Justice Information Services there is also one possible change. At one time the revenue sources of the funds coming from the Office of Justice Assistance under (kp) and (kq) were distinct but now are somewhat intermixed. Both are PRS and could be combined into one.