

4



**NOTE**  
**State of Wisconsin**  
**2003 - 2004 LEGISLATURE**

LRB-1289/45  
JTK:cjs&cmh:cph  
1  
stays

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

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

Do NOT *Be*

- 1 AN ACT...; relating to: abolition of the Department of Electronic Government
- 2 and making appropriations.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Currently, DEG manages the state's information technology and telecommunications services. This bill eliminates DEG and transfers the functions of DEG to DOA.

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

of DEG. DOA may also make purchases of materials, supplies, equipment, and services relating to information technology and telecommunications without public notice and solicitation of bids or proposals or adherence to certain other purchasing requirements.

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 DOA. 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 DOA.

Currently, no state agency in the executive branch, other than the Board of Regents of the UW System, may procure telecommunications materials, supplies, equipment, or services from any source except 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 of Regents' actions subject to the authority of DOA and the Information Technology Management Board.

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.

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

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

21           **13.101 (14)** With the concurrence of the joint committee on information policy  
22 and technology, direct the department of ~~electronic government~~ administration to  
23 report to the committee concerning any specific information technology system  
24 project in accordance with s. 13.58 (5) (b) 4.

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

1           13.58 (5) (a) 5. Upon receipt of strategic plans from the department of ~~electronic~~  
2 ~~government~~ administration, the joint committee on legislative organization and the  
3 director of state courts, review and transmit comments concerning the plans to the  
4 entities submitting the plans.

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

6           13.58 (5) (b) 1. Direct the department of ~~electronic government~~ administration  
7 to conduct studies or prepare reports on items related to the committee's duties under  
8 par. (a).

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

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

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

18          13.90 (6) The joint committee on legislative organization shall adopt, revise  
19 biennially and submit to the cochairpersons of the joint committee on information  
20 policy and technology, the governor and the ~~chief information officer~~ secretary of  
21 administration, no later than September 15 of each even-numbered year, a strategic  
22 plan for the utilization of information technology to carry out the functions of the  
23 legislature and legislative service agencies, as defined in s. 16.70 (6). The plan shall  
24 address the business needs of the legislature and legislative service agencies and  
25 shall identify all resources relating to information technology which the legislature

1 and legislative service agencies desire to acquire, contingent upon funding  
2 availability, the priority for such acquisitions and the justification for such  
3 acquisitions. The plan shall also identify any changes in the functioning of the  
4 legislature and legislative service agencies under the plan.

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

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

9 SECTION 8. 14.20 (1) (a) of the statutes is amended to read:

10 14.20 (1) (a) "Local governmental unit" has the meaning given in s. ~~22.01~~ 16.97  
11 (7).

12 SECTION 9. 15.07 (2) (L) of the statutes is amended to read:

13 15.07 (2) (L) The governor shall serve as chairperson of the information  
14 technology management board and the ~~chief information officer~~ the secretary of  
15 administration or his or her designee shall serve as secretary of that board.

16 SECTION 10. 15.107 (7) (f) of the statutes is amended to read:

17 15.107 (7) (f) A representative of the department of ~~electronic government~~  
18 administration.

19 SECTION 11. 15.21 of the statutes is repealed.

20 SECTION 12. 15.215 (title) of the statutes is repealed.

21 SECTION 13. 15.215 (1) of the statutes is renumbered 15.105 (27) and amended  
22 to read:

23 15.105 (27) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an  
24 information technology management board that is attached to the department of  
25 ~~electronic government~~ administration under s. 15.03. The board shall consist of the

1 governor, the cochairpersons of the joint committee on information policy and  
2 technology or a member of the legislature from the same house as a cochairperson  
3 designated by that cochairperson, one member of the minority party in each house  
4 of the legislature, appointed in the same manner as members of standing committees  
5 are appointed, the secretary of administration, 2 heads of departments or  
6 independent agencies appointed to serve at the pleasure of the governor, 2 other  
7 members appointed to serve for 4-year terms, and the ~~chief information officer~~  
8 secretary of administration or his or her designee.

9 SECTION 14. 16.43 of the statutes is amended to read:

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

19 SECTION 15. 16.61 (2) (af) of the statutes is amended to read:

20 16.61 (2) (af) "Form" has the meaning specified in s. ~~22.01~~ 16.97 (5p).

21 SECTION 16. 16.61 (3n) of the statutes is amended to read:

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

24 SECTION 17. 16.70 (4m) of the statutes is amended to read:

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

2           (6).

3           **SECTION 18.** 16.70 (15) of the statutes is amended to read:

4           16.70 (15) "Telecommunications" has the meaning given in s. ~~22.01~~ 16.97 (10).

5           **SECTION 19.** 16.71 (1m) of the statutes is amended to read:

6           16.71 (1m) The department shall not delegate to any executive branch agency,  
7 other than the board of regents of the University of Wisconsin System, the authority  
8 to enter into any contract for materials, supplies, equipment, or contractual services  
9 relating to information technology ~~or telecommunications~~ prior to review and  
10 approval of the contract by the ~~chief information officer~~ department. ~~The~~  
11 department shall not delegate to any executive branch agency the authority to enter  
12 into any contract for materials, supplies, equipment, or contractual services relating  
13 to telecommunications prior to review and approval of the contract by the  
14 department. No executive branch agency, ~~other than the board of regents of the~~  
15 ~~University of Wisconsin System~~, may enter into any such contract for which review  
16 is required under this subsection without review and approval of the contract by the  
17 ~~chief information officer~~ department.

18           **SECTION 20.** 16.71 (2m) of the statutes is repealed.

19           **SECTION 21.** 16.71 (4) of the statutes is amended to read:

20           16.71 (4) ~~With the approval of the department of electronic government, the~~  
21 The department of administration shall delegate authority to the technology for  
22 educational achievement in Wisconsin board to make purchases of educational  
23 technology equipment for use by school districts, cooperative educational service  
24 agencies and public educational institutions in this state, upon request of the board.

25           **SECTION 22.** 16.72 (2) (a) of the statutes is amended to read:

1           16.72 (2) (a) The department of ~~administration~~ shall prepare standard  
2 specifications, as far as possible, for all state purchases. By “standard specifications”  
3 is meant a specification, either chemical or physical or both, prepared to describe in  
4 detail the article which the state desires to purchase, and trade names shall not be  
5 used. On the formulation, adoption and modification of any standard specifications,  
6 the department of administration shall also seek and be accorded without cost, the  
7 assistance, advice and cooperation of other agencies and officers. Each specification  
8 adopted for any commodity shall, insofar as possible, satisfy the requirements of any  
9 and all agencies which use it in common. ~~Any specifications for the purchase of~~  
10 ~~materials, supplies, equipment, or contractual services for information technology~~  
11 ~~or telecommunications purposes are subject to the approval of the chief information~~  
12 ~~officer.~~

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

14           16.72 (2) (b) Except as provided in ~~par. (a)~~ and ss. 16.25 (4) (b), 16.751 and  
15 565.25 (2) (a) 4., the department shall prepare or review specifications for all  
16 materials, supplies, equipment, other permanent personal property and contractual  
17 services not purchased under standard specifications. Such “nonstandard  
18 specifications” may be generic or performance specifications, or both, prepared to  
19 describe in detail the article which the state desires to purchase either by its physical  
20 properties or by its programmatic utility. When appropriate for such nonstandard  
21 items or services, trade names may be used to identify what the state requires, but  
22 wherever possible 2 or more trade names shall be designated and the trade name of  
23 any Wisconsin producer, distributor or supplier shall appear first.

24           SECTION 24. 16.72 (4) (a) of the statutes is amended to read:



1           16.72 (4) (a) Except as provided in ss. 16.71 and 16.74 or as otherwise provided  
2 in this subchapter and the rules promulgated under s. 16.74 and this subchapter, all  
3 supplies, materials, equipment and contractual services shall be purchased for and  
4 furnished to any agency only upon requisition to the department. The department  
5 shall prescribe the form, contents, number and disposition of requisitions and shall  
6 promulgate rules as to time and manner of submitting such requisitions for  
7 processing. No agency or officer may engage any person to perform contractual  
8 services without the specific prior approval of the department for each such  
9 engagement. Purchases of supplies, materials, equipment or contractual services by  
10 ~~the department of electronic government~~, the legislature, the courts or legislative  
11 service or judicial branch agencies do not require approval under this paragraph.

12           SECTION 25. 16.75 (3t) (a) of the statutes is amended to read:

13           16.75 (3t) (a) In this subsection, “form” has the meaning given under s. ~~22.01~~  
14 16.97 (5p).

15           SECTION 26. 16.75 (6) (am) of the statutes is amended to read:

16           16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the  
17 ~~department of electronic government~~ department relating to information technology  
18 or telecommunications. Annually not later than October 1, the department of  
19 ~~electronic government~~ shall report to the ~~department of administration~~ governor, in  
20 the form specified by the ~~secretary~~ governor, concerning all procurements relating  
21 to information technology or telecommunications by the ~~department of electronic~~  
22 ~~government~~ department during the preceding fiscal year that were not made in  
23 accordance with the requirements of subs. (1) and (3t).

24           SECTION 27. 16.752 (12) (i) of the statutes is amended to read:

1           16.752 (12) (i) Paragraph (a) does not apply to procurements by the department  
2 of electronic government relating to information technology or telecommunications.

3           SECTION 28. 16.78 (title) of the statutes is amended to read:

4           16.78 (title) **Purchases from department of ~~electronic government~~**  
5 **relating to information technology or telecommunications.**

6           SECTION 29. 16.78 (1) of the statutes is renumbered 16.78 (1)(a) and amended  
7 to read:

8           16.78 (1) (a) ~~Every~~ Except as authorized in par. (b), every agency other than  
9 the board of regents of the University of Wisconsin System or an agency making  
10 purchases under s. 16.74 shall make all purchases of materials, supplies, equipment,  
11 and contractual services relating to information technology ~~or telecommunications~~  
12 from the department of ~~electronic government, unless.~~ Except as authorized in par.  
13 (b), every agency except an agency making purchases under s. 16.74 shall make all  
14 purchases of materials, supplies, equipment, and contractual services relating to  
15 telecommunications from the department.

16           (b) Paragraph (a) does not apply if the department of ~~electronic government~~  
17 requires the agency to purchase the materials, supplies, equipment, or contractual  
18 services pursuant to a master contract established under s. ~~22.05~~ 16.972 (2) (h), or  
19 grants written authorization to the agency to procure the materials, supplies,  
20 equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the  
21 materials, supplies, equipment, or contractual services from another agency or to  
22 provide the materials, supplies, equipment, or contractual services to itself. The  
23 board of regents of the University of Wisconsin System may make purchases of  
24 materials, supplies, equipment, and contractual services relating to information  
25 technology ~~or telecommunications~~ from the department of ~~electronic government.~~

1           **SECTION 30.** 16.78 (2) of the statutes is amended to read:

2           16.78 (2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase  
3 of materials, supplies, equipment, or contractual services by any agency from the  
4 department of ~~electronic government~~ under sub. (1) (a).

5           **SECTION 31.** 16.97 of the statutes is renumbered 16.97 (intro.) and amended  
6 to read:

7           **16.97    Definition   Definitions.**   (intro.)   In this subchapter,  
8 ~~“telecommunications” has the meaning given in s. 22.01 (10);~~

9           **SECTION 32.** Subchapter VII (title) of chapter 16 [precedes s. 16.97] of the  
10 statutes is amended to read:

11                                   **CHAPTER 16**

12                                   **SUBCHAPTER VII**

13                                   **EDUCATIONAL INFORMATION**

14                                   **TECHNOLOGY**

15           **SECTION 33.** 16.974 (intro.) of the statutes is repealed.

16           **SECTION 34.** 16.974 (1) to (4) of the statutes are renumbered 16.971 (13) to (16).

17           **SECTION 35.** 19.36 (4) of the statutes is amended to read:

18           19.36 (4) **COMPUTER PROGRAMS AND DATA.** A computer program, as defined in s.  
19 ~~22.03~~ 16.971 (4) (c), is not subject to examination or copying under s. 19.35 (1), but  
20 the material used as input for a computer program or the material produced as a  
21 product of the computer program is subject to the right of examination and copying,  
22 except as otherwise provided in s. 19.35 or this section.

23           **SECTION 36.** 20.225 (1) (kb) of the statutes is amended to read:

24           20.225 (1) (kb) *Emergency weather warning system operation.* From the  
25 moneys received by the department of ~~electronic government~~ administration for the

1 provision of state telecommunications to state agencies, the amounts in the schedule  
2 for the operation of the emergency weather warning system under s. 39.11 (21).

3 SECTION 37. 20.275 (1) (s) of the statutes is amended to read:

4 20.275 (1) (s) *Telecommunications access; school districts; grant.* Biennially,  
5 from 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 (1)~~ 16.971 (13) to the extent that the amounts due are  
8 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is); prior to January 1,  
9 2006, to make grants to school districts under s. 44.73 (6); and, in the 1999–2000  
10 fiscal year, to award a grant to the distance learning network under 1999 Wisconsin  
11 Act 9, section 9148 (4w).

12 SECTION 38. 20.275 (1) (t) of the statutes is amended to read:

13 20.275 (1) (t) *Telecommunications access; private and technical colleges and*  
14 *libraries.* Biennially, from the universal service fund, the amounts in the schedule  
15 to make payments to telecommunications providers under contracts with the  
16 department of administration under s. ~~16.974 (2)~~ 16.971 (14) to the extent that the  
17 amounts due are not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is).

18 SECTION 39. 20.275 (1) (tm) of the statutes is amended to read:

19 20.275 (1) (tm) *Telecommunications access; private schools.* Biennially, from  
20 the universal service fund, the amounts in the schedule to make payments to  
21 telecommunications providers under contracts with the department of  
22 administration under s. ~~16.974 (3)~~ 16.971 (15) to the extent that the amounts due are  
23 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is) and, prior to January  
24 1, 2006, to make grants to private schools under s. 44.73 (6).

25 SECTION 40. 20.275 (1) (tu) of the statutes is amended to read:

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

6           **SECTION 41.** 20.275 (1) (tw) of the statutes is amended to read:

7           20.275 (1) (tw) *Telecommunications access; secured correctional facilities.*  
8 Biennially, from the universal service fund, the amounts in the schedule to make  
9 payments to telecommunications providers under contracts with the department of  
10 administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are  
11 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (ke).

12           **SECTION 42.** 20.505 (1) (im) of the statutes is amended to read:

13           20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the  
14 schedule to provide services and to repurchase inventory items that are provided  
15 primarily to purchasers other than state agencies and to transfer to the  
16 appropriation account under par. (kc) the amounts received from school districts  
17 under s. 16.85 (15). All moneys received from the sale of services, other than services  
18 provided under par. (is), and inventory items which are provided primarily to  
19 purchasers other than state agencies shall be credited to this appropriation account.

20           **SECTION 43.** 20.505 (1) (is) of the statutes is created to read:

21           20.505 (1) (is) *Information technology, ~~electronic~~ and communications ~~and~~*  
22 ~~telecommunications~~ *services; nonstate entities.* All moneys received from state  
23 authorities, units of the federal government, local governmental units, and entities  
24 in the private sector for the provision of computer, telecommunications, electronic

*semi color*

1 communications, and supercomputer services under ss. 16.972 (2) (b) and (c), 16.974  
2 (2) and (3), and 44.73 (2) (d), 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.

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

*NO COMMA*

4 20.505 (1) (kL) *Printing, mail processing, electronic communications, and*  
5 *information technology services to agencies.* All moneys received from state agencies  
6 for the provision of printing, mail processing, electronic communications, and  
7 information technology development, management, and processing services under  
8 ss. 16.971, 16.972, 16.973, and 16.974 (3), to be used for the purpose of providing  
9 those services.

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

10 SECTION 45. 20.505 (6) (j) 12. of the statutes is amended to read:

11 20.505 (6) (j) 12. The amount transferred to ~~s. 20.530 sub.~~ (1) (kq) shall be the  
12 amount in the schedule under ~~s. 20.530 sub.~~ (1) (kq).

13 SECTION 46. 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.

14 SECTION 47. 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.

15 SECTION 48. 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.

16 SECTION 49. 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.

17 SECTION 50. 20.530 (1) (ja) of the statutes is renumbered 20.505 (1) (ja) and  
18 amended to read:

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

5           SECTION 51. 20.530 (1) (ke) of the statutes is renumbered 20.505 (1) (ke) and  
6 amended to read:

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

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

14           SECTION 52. 20.530 (1) (kp) of the statutes is repealed.

15           SECTION 53. 20.530 (1) (kq) of the statutes is renumbered 20.505 (1) (kq) and  
16 amended to read:

17           20.505 (1) (kq) *Justice information systems development, operation and,*  
18 *maintenance, and assistance*. The amounts in the schedule for the purpose of  
19 developing, operating and maintaining automated justice information systems  
20 under s. ~~22.03 16.971~~ (9). All moneys transferred from the appropriation account  
21 under s. ~~20.505 sub. (6) (j) 12., (kt), and (m)~~ shall be credited to this appropriation  
22 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 54.** 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.

2           **SECTION 55.** 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.

3           **SECTION 56.** Chapter 22 (title) of the statutes is repealed.

4           **SECTION 57.** 22.01 (intro.) of the statutes is repealed.

5           **SECTION 58.** 22.01 (1), (2), (2m), (3) and (4) of the statutes are renumbered 16.97  
6 (1m), (2), (2m), (3) and (4).

7           **SECTION 59.** 22.01 (5) of the statutes is repealed.

8           **SECTION 60.** 22.01 (5m) to (10) of the statutes are renumbered 16.97 (5m) to  
9 (10).

10          **SECTION 61.** 22.03 (title) of the statutes is renumbered 16.971 (title).

11          **SECTION 62.** 22.03 (2) (intro.), (a) and (ae) of the statutes are renumbered  
12 16.971 (2) (intro.), (a) and (ae).

13          **SECTION 63.** 22.03 (2) (am) to (k) of the statutes are renumbered 16.971 (2) (am)  
14 to (k).

15          **SECTION 64.** 22.03 (2) (L) to (m) of the statutes are renumbered 16.971 (2) (L)  
16 to (m) and amended to read:

17           16.971 (2) (L) Require each executive branch agency, other than the board of  
18 regents of the University of Wisconsin System, to adopt and submit to the  
19 department, in a form specified by the department, no later than March 1 of each  
20 year, a strategic plan for the utilization of information technology to carry out the



1 functions of the agency in the succeeding fiscal year for review and approval under  
2 s. ~~22.13~~ 16.976.

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

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

20 SECTION 65. 22.03 (2) (n) of the statutes is renumbered 16.971 (2) (n).

21 SECTION 66. 22.03 (2m) (intro.) of the statutes is renumbered 16.971 (2m)  
22 (intro.).

23 SECTION 67. 22.03 (2m) (a) to (h) of the statutes are renumbered 16.971 (2m)  
24 (a) to (h).

1           **SECTION 68.** 22.03 (3) of the statutes is renumbered 16.971 (3) and amended  
2 to read:

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

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

23           **SECTION 69.** 22.03 (4) and (6) of the statutes are renumbered 16.971 (4) and (6).

24           **SECTION 70.** 22.03 (9) of the statutes is renumbered 16.971 (9) and amended  
25 to read:

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

10           **SECTION 71.** 22.03 (11) of the statutes is renumbered 16.971 (11).

11           **SECTION 72.** 22.05 (title) of the statutes is renumbered 16.972 (title).

12           **SECTION 73.** 22.05 (1) of the statutes is renumbered 16.972 (1).

13           **SECTION 74.** 22.05 (2) (intro.) and (a) of the statutes are renumbered 16.972 (2)  
14 (intro.) and (a).

15           **SECTION 75.** 22.05 (2) (b) and (c) of the statutes are renumbered 16.972 (2) (b)  
16 and (c) and amended to read:

17           16.972 (2) (b) Provide such computer services and telecommunications services  
18 to local governmental units and the broadcasting corporation and provide such  
19 telecommunications services to qualified private schools, postsecondary  
20 institutions, museums and zoos, as the department considers to be appropriate and  
21 as the department can efficiently and economically provide. The department may  
22 exercise this power only if in doing so it maintains the services it provides at least  
23 at the same levels that it provides prior to exercising this power and it does not  
24 increase the rates chargeable to users served prior to exercise of this power as a result  
25 of exercising this power. The department may charge local governmental units, the

1 broadcasting corporation, and qualified private schools, postsecondary institutions,  
2 museums and zoos, for services provided to them under this paragraph in accordance  
3 with a methodology determined by the ~~chief information officer~~ department. Use of  
4 telecommunications services by a qualified private school or postsecondary  
5 institution shall be subject to the same terms and conditions that apply to a  
6 municipality using the same services. The department shall prescribe eligibility  
7 requirements for qualified museums and zoos to receive telecommunications  
8 services under this paragraph.

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

19 SECTION 76. 22.05 (2) (d) of the statutes is renumbered 16.972 (2) (d).

20 SECTION 77. 22.05 (2) (e) of the statutes is renumbered 16.972 (2) (e).

21 SECTION 78. 22.05 (2) (f) and (g) of the statutes are renumbered 16.972 (2) (f)  
22 and (g) and amended to read:

23 16.972 (2) (f) Acquire, operate, and maintain any information technology  
24 equipment or systems required by the department to carry out its functions, and  
25 provide information technology development and management services related to

1 those information technology systems. The department may assess executive  
2 branch agencies, other than the board of regents of the University of Wisconsin  
3 System, for the costs of equipment or systems acquired, operated, maintained, or  
4 provided or services provided under this paragraph in accordance with a  
5 methodology determined by the ~~chief information officer~~ department. The  
6 department may also charge any agency for such costs as a component of any services  
7 provided by the department to the agency.

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

15 **SECTION 79.** 22.05 (2) (h) of the statutes is renumbered 16.972 (2) (h) and  
16 amended to read:

17 16.972 (2) (h) Establish master contracts for the purchase of materials,  
18 supplies, equipment, or contractual services relating to information technology or  
19 telecommunications for use by agencies, authorities, local governmental units, or  
20 entities in the private sector ~~and~~. The department may require any executive branch  
21 agency, other than the board of regents of the University of Wisconsin System, to  
22 make any purchases of materials, supplies, equipment, or contractual services  
23 relating to information technology that are included under the contract pursuant to  
24 the terms of the contract. The department may require any executive branch agency  
25 to make purchases of materials, supplies, equipment, or contractual services

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

3 SECTION 80. 22.05 (2) (i) of the statutes is renumbered 16.972 (2) (i).

4 SECTION 81. 22.07 (intro.) of the statutes is renumbered 16.973 (intro.).

5 SECTION 82. 22.07 (1) and (2) of the statutes are renumbered 16.973 (1) and (2)  
6 and amended to read:

7 16.973 (1) Provide or contract with a public or private entity to provide  
8 computer services to agencies. The department may charge agencies for services  
9 provided to them under this subsection in accordance with a methodology  
10 determined by the ~~chief information officer~~ department.

11 (2) Promulgate methodologies for establishing all fees and charges established  
12 or assessed by the department ~~or the chief information officer~~ under this chapter.

13 SECTION 83. 22.07 (3) to (7) of the statutes are renumbered 16.973 (3) to (7).

14 SECTION 84. 22.07 (8) of the statutes is renumbered 16.973 (8) and amended  
15 to read:

16 16.973 (8) Offer the opportunity to local governmental units to voluntarily  
17 obtain computer or supercomputer services from the department when those  
18 services are provided under s. ~~22.05~~ 16.972 (2) (b) or (c), and to voluntarily  
19 participate in any master contract established by the department under s. ~~22.05~~  
20 16.972 (2) (h) or in the use of any informational system or device provided by the  
21 department under ~~22.09~~ 16.974 (3).

22 SECTION 85. 22.07 (9) of the statutes is renumbered 16.973 (9).

23 SECTION 86. 22.09 (intro.) of the statutes is renumbered 16.974 (intro.) and  
24 amended to read:

1           **16.974 Powers of the ~~chief information officer~~ department.** (intro.) The  
2 ~~chief information officer~~ department may:

3           **SECTION 87.** 22.09 (1) of the statutes is renumbered 16.974 (1).

4           **SECTION 88.** 22.09 (2) and (3) of the statutes are renumbered 16.974 (2) and (3)  
5 and amended to read:

6           16.974 (2) Subject to s. ~~22.05~~ 16.972 (2) (b), enter into and enforce an agreement  
7 with any agency, any authority, any unit of the federal government, any local  
8 governmental unit, or any entity in the private sector to provide services authorized  
9 to be provided by the department to that agency, authority, unit, or entity at a cost  
10 specified in the agreement.

11           (3) Develop or operate and maintain any system or device facilitating Internet  
12 or telephone access to information about programs of agencies, authorities, local  
13 governmental units, or entities in the private sector, or otherwise permitting the  
14 transaction of business by agencies, authorities, local governmental units, or entities  
15 in the private sector by means of electronic communication. ~~The chief information~~  
16 ~~officer~~ department may assess executive branch agencies, other than the board of  
17 regents of the University of Wisconsin System, for the costs of systems or devices  
18 relating to information technology that are developed, operated, or maintained  
19 under this subsection in accordance with a methodology determined by the ~~officer~~  
20 department. The department may assess any executive branch agency for the costs  
21 of systems or devices relating to telecommunications that are developed, operated,  
22 or maintained under this subsection in accordance with a methodology determined  
23 by the department. ~~The chief information officer~~ department may also charge any  
24 agency, authority, local governmental unit, or entity in the private sector for such

1 costs as a component of any services provided by the department to that agency,  
2 authority, local governmental unit, or entity.

3 SECTION 89. 22.09 (5) of the statutes is renumbered 16.974 (5) and amended  
4 to read:

5 16.974 (5) Review and approve, approve with modifications, or disapprove any  
6 proposed contract for the purchase of materials, supplies, equipment, or contractual  
7 services relating to information technology ~~or telecommunications~~ by an executive  
8 branch agency, other than the board of regents of the University of Wisconsin  
9 System, and review and approve, approve with modifications, or disapprove any  
10 proposed contract for the purchase of materials, supplies, equipment, or contractual  
11 services relating to telecommunications by any executive branch agency.

12 SECTION 90. 22.11 of the statutes is renumbered 16.975.

13 SECTION 91. 22.13 (title) of the statutes is renumbered 16.976 (title).

14 SECTION 92. 22.13 (1) of the statutes is renumbered 16.976 (1) and amended  
15 to read:

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

25 SECTION 93. 22.13 (2) of the statutes is renumbered 16.976 (2).



1           **SECTION 94.** 22.13 (3) to (5) of the statutes are renumbered 16.976 (3) to (5) and  
2 amended to read:

3           16.976 (3) Following receipt of a proposed strategic plan from an executive  
4 branch agency, the ~~chief information officer~~ department shall, before June 1, notify  
5 the agency of any concerns that the ~~officer~~ department may have regarding the plan  
6 and provide the agency with ~~his or her~~ its recommendations regarding the proposed  
7 plan. The ~~chief information officer~~ department may also submit any concerns or  
8 recommendations regarding any proposed plan to the board for its consideration.  
9 The board shall then consider the proposed plan and provide the ~~chief information~~  
10 ~~officer~~ department with its recommendations regarding the plan. The executive  
11 branch agency may submit modifications to its proposed plan in response to any  
12 recommendations.

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

16           (5) No executive branch agency, other than the board of regents of the  
17 University of Wisconsin System, may implement a new or revised information  
18 technology development project authorized under a strategic plan until the  
19 implementation is approved by the ~~chief information officer~~ department in  
20 accordance with procedures prescribed by the ~~officer~~ department.

21           **SECTION 95.** 22.13 (6) of the statutes is renumbered 16.976 (6).

22           **SECTION 96.** 22.15 (intro.) of the statutes is renumbered 16.977 (intro.).

23           **SECTION 97.** 22.15 (1) to (3) of the statutes are renumbered 16.977 (1) to (3).

24           **SECTION 98.** 22.17 (title) of the statutes is renumbered 16.978 (title).

1           **SECTION 99.** 22.17 (1) to (4) of the statutes are renumbered 16.978 (1) to (4) and  
2 amended to read:

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

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

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

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

22           **SECTION 100.** 22.19 of the statutes is renumbered 16.9785.

23           **SECTION 101.** 22.41 (title) of the statutes is renumbered 16.979 (title).

24           **SECTION 102.** 22.41 (2) (intro.) of the statutes is renumbered 16.979 (2) (intro.).

1           **SECTION 103.** 22.41 (2) (a) to (f) of the statutes are renumbered 16.979 (2) (a)  
2 to (f).

3           **SECTION 104.** 22.41 (3) of the statutes is renumbered 16.979 (3).

4           **SECTION 105.** 29.038 (1) (a) of the statutes is amended to read:

5           29.038 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~  
6 16.97 (7).

7           **SECTION 106.** 36.25 (38) (b) 6. of the statutes is amended to read:

8           36.25 (38) (b) 6. To pay the department of ~~electronic government~~  
9 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1).

10          **SECTION 107.** 44.70 (4) of the statutes is amended to read:

11          44.70 (4) “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

12          **SECTION 108.** 44.71 (2) (g) of the statutes is amended to read:

13          44.71 (2) (g) Coordinate the purchasing of educational technology materials,  
14 supplies, equipment, and contractual services for school districts, cooperative  
15 educational service agencies, technical college districts, and the board of regents of  
16 the University of Wisconsin System by the department under s. 16.72 (8), and, in  
17 cooperation with the department ~~and subject to the approval of the department of~~  
18 ~~electronic government~~, establish standards and specifications for purchases of  
19 educational technology hardware and software by school districts, cooperative  
20 educational service agencies, technical college districts, and the board of regents of  
21 the University of Wisconsin System.

22          **SECTION 109.** 44.71 (2) (h) of the statutes is amended to read:

23          44.71 (2) (h) ~~With the approval of the department of electronic government,~~  
24 purchase Purchase educational technology equipment for use by school districts,  
25 cooperative educational service agencies, and public educational institutions in this

1 state and permit the districts, agencies, and institutions to purchase or lease the  
2 equipment, with an option to purchase the equipment at a later date. This paragraph  
3 does not require the purchase or lease of any educational technology equipment from  
4 the board.

5 SECTION 110. 44.73 (1) of the statutes is amended to read:

6 44.73 (1) Except as provided in s. 196.218 (4t), the board, in consultation with  
7 the department and ~~subject to the approval of the department of electronic~~  
8 ~~government,~~ shall promulgate rules establishing an educational  
9 telecommunications access program to provide educational agencies with access to  
10 data lines and video links.

11 SECTION 111. 44.73 (3) of the statutes is amended to read:

12 44.73 (3) The board shall submit an annual report to the department on the  
13 status of providing data lines and video links that are requested under sub. (2) (a)  
14 and the impact on the universal service fund of any payment under contracts under  
15 s. ~~16.974~~ 16.971 (13) to (16).

16 SECTION 112. 44.73 (6) (a) of the statutes is amended to read:

17 44.73 (6) (a) From the appropriation under s. 20.275 (1)(s) or (tm), the board  
18 may award an annual grant to a school district or private school that had in effect  
19 on October 14, 1997, a contract for access to a data line or video link, as documented  
20 by the board. The board shall determine the amount of the grant, which shall be  
21 equal to the cost incurred by the state to provide telecommunications access to a  
22 school district or private school under a contract entered into under s. ~~16.974(1) or~~  
23 ~~(3)~~ 16.971 (13) or (15) less the amount that the school district or private school would  
24 be paying under sub. (2) (d) if the school district or private school were participating  
25 in the program established under sub. (1), except that the amount may not be greater

1 than the cost that a school district or private school incurs under the contract in effect  
2 on October 14, 1997. A school district or private school receiving a grant under this  
3 subsection is not eligible to participate in the program under sub. (1). No grant may  
4 be awarded under this subsection after December 31, 2005.

5 **SECTION 113.** 85.12 (3) of the statutes is amended to read:

6 85.12 (3) The department may contract with any local governmental unit, as  
7 defined in s. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services  
8 under this section.

9 **SECTION 114.** 196.218 (5) (a) 5. of the statutes is amended to read:

10 196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 16.971  
11 (13) to (16) to the extent that these costs are not paid under s. 44.73 (2) (d), except  
12 that no moneys in the universal service fund may be used to pay installation costs  
13 that are necessary for a political subdivision to obtain access to bandwidth under a  
14 shared service agreement under s. 44.73 (2r) (a).

15 **SECTION 115.** 196.218 (5) (a) 6. of the statutes is amended to read:

16 196.218 (5) (a) 6. To pay the department of ~~electronic government~~  
17 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1)  
18 to the campuses of the University of Wisconsin System at River Falls, Stout, Superior  
19 and Whitewater.

20 **SECTION 116.** 196.858 (1) and (2) of the statutes are amended to read:

21 196.858 (1) The commission shall annually assess against local exchange and  
22 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the  
23 amounts appropriated under s. ~~20.530~~ 20.505 (1) (ir).

24 (2) The commission shall assess a sum equal to the annual total amount under  
25 sub. (1) to local exchange and interexchange telecommunications utilities in

1 proportion to their gross operating revenues during the last calendar year. If total  
2 expenditures for telephone relay service exceeded the payment made under this  
3 section in the prior year, the commission shall charge the remainder to assessed  
4 telecommunications utilities in proportion to their gross operating revenues during  
5 the last calendar year. A telecommunications utility shall pay the assessment within  
6 30 days after the bill has been mailed to the assessed telecommunication utility. The  
7 bill constitutes notice of the assessment and demand of payment. Payments shall  
8 be credited to the appropriation account under s. ~~20.530~~ 20.505 (1) (ir).

9 SECTION 117. 221.0320 (3) (a) of the statutes is amended to read:

10 221.0320 (3) (a) In this subsection, "local governmental unit" has the meaning  
11 given in s. ~~22.01~~ 16.97 (7).

12 SECTION 118. 230.08 (2) (e) 1. of the statutes is amended to read:

13 230.08 (2) (e) 1. Administration — ~~10~~ 11.

14 SECTION 119. 230.08 (2) (e) 3r. of the statutes is repealed.

15 SECTION 120. 283.84 (1) (c) of the statutes is amended to read:

16 283.84 (1) (c) Reaches an agreement with the department or a local  
17 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), under which the person pays  
18 money to the department or local governmental unit and the department or local  
19 governmental unit uses the money to reduce water pollution in the project area.

20 SECTION 121. 758.19 (7) of the statutes is amended to read:

21 758.19 (7) The director of state courts shall adopt, revise biennially and submit  
22 to the cochairpersons of the joint committee on information policy and technology, the  
23 governor and the ~~department of electronic government~~ secretary of administration,  
24 no later than September 15 of each even-numbered year, a strategic plan for the  
25 utilization of information technology to carry out the functions of the courts and

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

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

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

10 (a) *Assets and liabilities.* Except as provided in SECTION 9215 (1) of this act, on  
11 the effective date of this paragraph, the assets and liabilities of the department of  
12 electronic government shall become assets and liabilities of the department of  
13 administration.

14 (b) *Positions and employees.*

15 1. On the effective date of this subdivision, all full-time equivalent positions  
16 in the department of electronic government, except the positions occupied by the  
17 secretary, the deputy secretary, the executive assistant, and 2 division administrator  
18 positions determined by the secretary of administration, are transferred to the  
19 department of administration.

20 2. All incumbent employees holding positions that are transferred under  
21 subdivision 1. are transferred on the effective date of this subdivision to the  
22 department of administration.

23 3. Employees transferred under subdivision 2. have all of the rights and the  
24 same status under subch. V of ch. 111 and chapter 230 of the statutes in the  
25 department of administration that they enjoyed in the department of electronic

1 government immediately before the transfer. Notwithstanding section 230.28 (4) of  
2 the statutes, no employee so transferred who has attained permanent status in class  
3 is required to serve a probationary period.

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

7 (d) *Contracts.* All contracts entered into by the department of electronic  
8 government that are in effect on the effective date of this paragraph remain in effect  
9 and are transferred to the department of administration. The department of  
10 administration shall carry out any contractual obligations under such a contract  
11 until the contract is modified or rescinded by the department of administration to the  
12 extent allowed under the contract.

13 (e) *Rules and orders.* All rules promulgated by the department of electronic  
14 government that are in effect on the effective date of this paragraph remain in effect  
15 until their specified expiration dates or until amended or repealed by the department  
16 of administration. All orders issued by the department of electronic government that  
17 are in effect on the effective date of this paragraph remain in effect until their  
18 specified expiration dates or until modified or rescinded by the department of  
19 administration.

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

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



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

2           (a) The unencumbered balance in the appropriation account under section  
3 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to gifts,  
4 grants and bequests received by the department of electronic government, as  
5 determined by the secretary of administration, is transferred to the appropriation  
6 account under section 20.505 (1) (j) of the statutes.

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

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

23           (d) The unencumbered balance in the appropriation account under section  
24 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source  
25 specified in section 16.974 (3) of the statutes, as affected by this act, for the provision

1 of electronic communications services to state agencies, as determined by the  
2 secretary of administration, is transferred to the appropriation account under  
3 section 20.505 (1) (kL) of the statutes, as created by this act.

4 (e) The unencumbered balance in the appropriation account under section  
5 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources  
6 specified in sections 16.972 and 16.973 of the statutes, as affected by this act, for the  
7 provision of printing, mail processing, and information technology processing  
8 services to state agencies, as determined by the secretary of administration, is  
9 transferred to the appropriation account under section 20.505 (1) (kL) of the statutes,  
10 as created by this act.

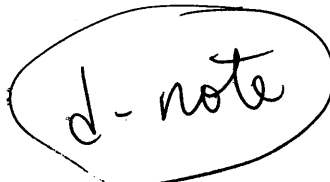
11 (f) The unencumbered balance in the appropriation account under section  
12 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source  
13 specified in section 16.971 (11) of the statutes, as affected by this act, for the provision  
14 of information technology development and management services to executive  
15 branch agencies, as determined by the secretary of administration, is transferred to  
16 the appropriation account under section 20.505 (1) (kL) of the statutes, as created by  
17 this act.

18 (g) The unencumbered balance in the appropriation account under section  
19 20.530 (1) (kp) of the statutes, as affected by this act, is transferred to the  
20 appropriation account under section 20.505 (1) (kq) of the statutes.

21 (h) The unencumbered balance in the appropriation account under section  
22 20.530 (1) (m) of the statutes, as affected by this act, is transferred to the  
23 appropriation account under section 20.505 (1) (mb) of the statutes.

24

(END)

A handwritten note "d-note" is circled in black ink. The text is written in a cursive, handwritten style.

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

LRB-1289/5dn

JTKK...|:....

*[Handwritten signature]*  
*[Handwritten initials]*

Dan Caucutt:

*[Handwritten mark]* This redraft shortens the titles to proposed ss. 20.505 (1) (is) and (kL), stats. This matter was discussed with Cynthia Dombrowski, but she has not seen the exact wording utilized in this draft. *[Handwritten checkmarks]*

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

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

LRB-1289/5dn  
JTK:cjs:pg

February 3, 2003

Dan Caucutt:

This redraft shortens the titles to proposed s. 20.505 (1) (is) and (kL), stats. This matter was discussed with Cynthia Dombrowski, but she has not seen the exact wording utilized in this draft.

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

## **Champagne, Rick**

---

**From:** Rothschild, John  
**Sent:** Tuesday, February 04, 2003 4:35 PM  
**To:** Champagne, Rick  
**Cc:** Caucutt, Dan; Schmiedicke, David; Engan, Laura  
**Subject:** Mergers/ Elimination

Karen Timberlake and I have been talking to Dave and Dan and we are now of the opinion that the merger/elimination/transfer of DEG, DER, and the Division of Housing should have an effective date 30 days after the effective date of the bill. Any questions please give us a call. John 267-0202



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

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT <sup>Don't</sup> relating to: abolition of the Department of Electronic Government  
2 and making appropriations. <sup>GEN. CAT.</sup>

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Currently, DEG manages the state's information technology and telecommunications services. This bill eliminates DEG and transfers the functions of DEG to DOA.

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

of DEG. DOA may also make purchases of materials, supplies, equipment, and services relating to information technology and telecommunications without public notice and solicitation of bids or proposals or adherence to certain other purchasing requirements.

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 DOA. 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 DOA.

Currently, no state agency in the executive branch, other than the Board of Regents of the UW System, may procure telecommunications materials, supplies, equipment, or services from any source except 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 of Regents' actions subject to the authority of DOA and the Information Technology Management Board.

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

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

9 *acts ref. "MA"*  
(1) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT.

10 (a) *Assets and liabilities.* Except as provided in SECTION 9215 (1) of this act, on  
11 the effective date of this paragraph, the assets and liabilities of the department of  
12 electronic government shall become assets and liabilities of the department of  
13 administration.

14 (b) *Positions and employees.*

15 1. On the effective date of this subdivision, all full-time equivalent positions  
16 in the department of electronic government, except the positions occupied by the  
17 secretary, the deputy secretary, the executive assistant, and 2 division administrator  
18 positions determined by the secretary of administration, are transferred to the  
19 department of administration.

20 2. All incumbent employees holding positions that are transferred under  
21 subdivision 1. are transferred on the effective date of this subdivision to the  
22 department of administration.

23 3. Employees transferred under subdivision 2. have all of the rights and the  
24 same status under subch. V of ch. 111 and chapter 230 of the statutes in the  
25 department of administration that they enjoyed in the department of electronic



1 government immediately before the transfer. Notwithstanding section 230.28 (4) of  
2 the statutes, no employee so transferred who has attained permanent status in class  
3 is required to serve a probationary period.

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

7 (d) *Contracts.* All contracts entered into by the department of electronic  
8 government that are in effect on the effective date of this paragraph remain in effect  
9 and are transferred to the department of administration. The department of  
10 administration shall carry out any contractual obligations under such a contract  
11 until the contract is modified or rescinded by the department of administration to the  
12 extent allowed under the contract.

13 (e) *Rules and orders.* All rules promulgated by the department of electronic  
14 government that are in effect on the effective date of this paragraph remain in effect  
15 until their specified expiration dates or until amended or repealed by the department  
16 of administration. All orders issued by the department of electronic government that  
17 are in effect on the effective date of this paragraph remain in effect until their  
18 specified expiration dates or until modified or rescinded by the department of  
19 administration.

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

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

*auto ref "MB"*

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

2 (a) The unencumbered balance in the appropriation account under section  
3 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to gifts,  
4 grants and bequests received by the department of electronic government, as  
5 determined by the secretary of administration, is transferred to the appropriation  
6 account under section 20.505 (1) (j) of the statutes.

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

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

23 (d) The unencumbered balance in the appropriation account under section  
24 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source  
25 specified in section 16.974 (3) of the statutes, as affected by this act, for the provision

1 of electronic communications services to state agencies, as determined by the  
2 secretary of administration, is transferred to the appropriation account under  
3 section 20.505 (1) (kL) of the statutes, as created by this act.

4 (e) The unencumbered balance in the appropriation account under section  
5 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources  
6 specified in sections 16.972 and 16.973 of the statutes, as affected by this act, for the  
7 provision of printing, mail processing, and information technology processing  
8 services to state agencies, as determined by the secretary of administration, is  
9 transferred to the appropriation account under section 20.505 (1) (kL) of the statutes,  
10 as created by this act.

11 (f) The unencumbered balance in the appropriation account under section  
12 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source  
13 specified in section 16.971 (11) of the statutes, as affected by this act, for the provision  
14 of information technology development and management services to executive  
15 branch agencies, as determined by the secretary of administration, is transferred to  
16 the appropriation account under section 20.505 (1) (kL) of the statutes, as created by  
17 this act.

18 (g) The unencumbered balance in the appropriation account under section  
19 20.530 (1) (kp) of the statutes, as affected by this act, is transferred to the  
20 appropriation account under section 20.505 (1) (kq) of the statutes.

21 (h) The unencumbered balance in the appropriation account under section  
22 20.530 (1) (m) of the statutes, as affected by this act, is transferred to the  
23 appropriation account under section 20.505 (1) (mb) of the statutes.

24

INS 34-23

(END)

auto ref. "MA" auto ref. "MB"

and SECTIONS 9115(1) and 9215(1) of tract

SECTION 9415. Effective dates; electronic government

(1) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT. The ~~Department of Electronic Government~~

takes effect on the 30th day commencing after publication.

~~15.93(1) and (2), 15.93(2)(h), 15.100(1)(a), 15.07(2)(L), 15.107(2)(K), 15.21, 15.215 (title) and (1), 16.43, 16.61(2)(af) and (3)(n), 16.70(4m) and (15), 16.71(1)(2m) and (4), 16.72(2)(a) and (b), 16.75(3)(a) and (6)(am), 16.52(1)(i), 16.78 (title), (1) and (2), 16.79 subchapter IV of chapter 16 (title), 174 (intro.) and (1) to (4), 17.36(4), 20.22 (1)(k), 20.275(1)(s), (t), (tm), (u) and (tw), 20.515 (1)(im), (12) and (KL) and (6)(j) 12., 20.530 (intro.), 20.531 (title), (g), (ir), (ja), (ke), (p), (Ka) and (m), 20.532(4)(h) 2. chapter 22 (title), 22.01 (intro.), (1), (2) (2m), (3), (4), (5) (5m) to (10), 22.03 (title), (2) (intro.) (ae), (am) to (k), (L) to (m) and (n), (2m) (intro.) and (a) to (h) (3), (4) to (6), (9) and (11), 22.04 (title), (1), (2) (intro.) and (a), (b), (c), (d), (e), (f), (g), (h) and (i), 22.07 (intro.), (1), (2), (3) to (7), (8) and (9), 22.09 (intro.), (1), (2), (3) and (4), 22.11, 22.13 (title), (1), (2), (3) and (4), 22.15 (intro.) and (1) to (5), 22.17 (title) and (1) to (4), 22.19, 22.41 (title) and (1) to (6) to (F), 22.41(3), 29.038 (a), 36.25(38) (b) 6., 44.70(4), 44.71(2)(g) and (h), 44.73(1), (3) and (6) to (8), 196.218(1)(a) 5. and 6., 196.85(1) and (2), 221.0320(3)(a), 230.0320(1) and (2), 230.0320(1)(c) and 158.19(7)~~

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1289/6KAins  
JTK:KMG:...

LPS: Z

NO B

INSERT "KA"

*repeal of sections*

1 ~~with repeal~~ 15.21, 15.215 (title), 16.71 (2m), 16.974 (intro.), 20.530 (intro.),  
2 20.530 (1) (title), 20.530 (1) (g), 20.530 (1) (kp), 20.530 (1) (m), 20.923 (4) (h) 2.,  
3 chapter 22 (title), 22.01 (intro.), 22.01 (5), and 230.08 (2) (e) 3r; ~~to renumber~~ 16.974  
4 (1) to (4), 20.530 (1) (ir), 22.01 (1), (2), (2m), (3) and (4), 22.01 (5m) to (10), 22.03 (title),  
5 22.03 (2) (intro.), (a) and (ae), 22.03 (2) (am) to (k), 22.03 (2) (n), 22.03 (2m) (intro.),  
6 22.03 (2m) (a) to (h), 22.03 (4) and (6), 22.03 (11), 22.05 (title), 22.05 (1), 22.05 (2)  
7 (intro.) and (a), 22.05 (2) (d), 22.05 (2) (e), 22.05 (2) (i), 22.07 (intro.), 22.07 (3) to (7),  
8 22.07 (9), 22.09 (1), 22.11, 22.13 (title), 22.13 (2), 22.13 (6), 22.15 (intro.), 22.15 (1) to  
9 (3), 22.17 (title), 22.19, 22.41 (title), 22.41 (2) (intro.), 22.41 (2) (a) to (f), and 22.41 (3);  
10 ~~the~~ ~~to renumber~~ <sup>ing</sup> and amend <sup>ment of sections</sup> 15.215 (1), 16.78 (1), 16.97, 20.530 (1) (ja), 20.530 (1) (ke),  
11 20.530 (1) (kq), 22.03 (2) (L) to (m), 22.03 (3), 22.03 (9), 22.05 (2) (b) and (c), 22.05 (2)  
12 (f) and (g), 22.05 (2) (h), 22.07 (1) and (2), 22.07 (8), 22.09 (intro.), 22.09 (2) and (3),  
13 22.09 (5), 22.13 (1), 22.13 (3) to (5), and 22.17 (1) to (4); ~~to amend~~ <sup>of the statutes</sup> 7.33 (4) and (5),  
14 13.101 (14), 13.58 (5) (a) 5., 13.58 (5) (b) 1., 13.58 (5) (b) 4. (intro.), 13.90 (6), 13.93  
15 (2) (h), 14.20 (1) (a), 15.07 (2) (L), 15.107 (7) (f), 16.43, 16.61 (2) (af), 16.61 (3n), 16.70  
16 (4m), 16.70 (15), 16.71 (1m), 16.71 (4), 16.72 (2) (a), 16.72 (2) (b), 16.72 (4) (a), 16.75  
17 (3t) (a), 16.75 (6) (am), 16.752 (12) (i), 16.78 (title), 16.78 (2), subchapter VII (title)  
18 of chapter 16 [precedes s. 16.97], 19.36 (4), 20.225 (1) (kb), 20.275 (1) (s), 20.275 (1)  
19 (t), 20.275 (1) (tm), 20.275 (1) (tu), 20.275 (1) (tw), 20.505 (1) (im), 20.505 (6) (j) 12.,  
20 29.038 (1) (a), 36.25 (38) (b) 6., 44.70 (4), 44.71 (2) (g), 44.71 (2) (h), 44.73 (1), 44.73  
21 (3), 44.73 (6) (a), 85.12 (3), 196.218 (5) (a) 5., 196.218 (5) (a) 6., 196.858 (1) and (2),  
22 221.0320 (3) (a), 230.08 (2) (e) 1., 283.84 (1) (c), and 758.19 (7); ~~and~~ <sup>the</sup> ~~to create~~ <sup>ion of sections</sup> 20.505  
23 (1) (is) and 20.505 (1) (kL) of the statutes;

*repeal of sections*

*of the statutes*

*ment of sections*

*of the statutes*