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(DNOTE)
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1289/8 9
JTK:cjs/cmb/kmg/jld:rs

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

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

See pp. 34, 35

Don't Gen. Cat
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 30. 16.97 of the statutes is renumbered 16.97 (intro.) and amended
2 to read:

3 16.97 ~~Definition~~ Definitions. (intro.) In this subchapter,
4 “telecommunications” has the meaning given in s. ~~22.01(10)~~;

5 SECTION 31. Subchapter VII (title) of chapter 16 [precedes 16.97] of the statutes
6 is amended to read:

7 CHAPTER 16
8 SUBCHAPTER VII
9 EDUCATIONAL INFORMATION
10 TECHNOLOGY

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 of the statutes is repealed.

12 SECTION 33. 16.974 (1) to (4) of the statutes, as affected by 2003 Wisconsin Act
13 ... (this act), are renumbered 16.971 (13) to (16).

****NOTE: This is reconciled s. 16.974 (1) to (4). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

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

15 19.36 (4) COMPUTER PROGRAMS AND DATA. A computer program, as defined in s.
16 ~~22.03~~ 16.971 (4) (c), is not subject to examination or copying under s. 19.35 (1), but
17 the material used as input for a computer program or the material produced as a
18 product of the computer program is subject to the right of examination and copying,
19 except as otherwise provided in s. 19.35 or this section.

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

21 20.225 (1) (kb) *Emergency weather warning system operation.* From the
22 moneys received by the department of ~~electronic government administration~~ administration for the

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 115.9995 (2) (d) of the statutes, as affected by this act, for the
11 provision of computer services, telecommunications services, and supercomputer
12 services to state authorities, units of the federal government, local governmental
13 units, and entities in the private sector, as determined by the secretary of
14 administration, is transferred to the appropriation account under section 20.505 (1)
15 (is) of the statutes, as created 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. *as affected by this act*

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 **SECTION 9415. Effective dates; electronic government.**

1 (1) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT. The repeal of sections
2 15.21, 15.215 (title), 16.71 (2m), 16.974 (intro.), 20.530 (intro.), 20.530 (1) (title),
3 20.530 (1) (g), 20.530 (1) (kp), 20.530 (1) (m), 20.923 (4) (h) 2., chapter 22 (title), 22.01
4 (intro.), 22.01 (5), and 230.08 (2) (e) 3r. of the statutes; the renumbering of sections
5 16.974 (1) to (4), 20.530 (1) (ir), 22.01 (1), (2), (2m), (3) and (4), 22.01 (5m) to (10), 22.03
6 (title), 22.03 (2) (intro.), (a) and (ae), 22.03 (2) (am) to (k), 22.03 (2) (n), 22.03 (2m)
7 (intro.), 22.03 (2m) (a) to (h), 22.03 (4) and (6), 22.03 (11), 22.05 (title), 22.05 (1), 22.05
8 (2) (intro.) and (a), 22.05 (2) (d), 22.05 (2) (e), 22.05 (2) (i), 22.07 (intro.), 22.07 (3) to
9 (7), 22.07 (9), 22.09 (1), 22.11, 22.13 (title), 22.13 (2), 22.13 (6), 22.15 (intro.), 22.15
10 (1) to (3), 22.17 (title); 22.19, 22.41 (title), 22.41 (2) (intro.), 22.41 (2) (a) to (f), and
11 22.41 (3) of the statutes; the renumbering and amendment of sections 15.215 (1),
12 16.78 (1), 16.97, 20.530 (1) (ja), 20.530 (1) (ke), 20.530 (1) (kq), 22.03 (2) (L) to (m),
13 22.03 (3), 22.03 (9), 22.05 (2) (b) and (c), 22.05 (2) (f) and (g), 22.05 (2) (h), 22.07 (1)
14 and (2), 22.07 (8), 22.09 (intro.), 22.09 (2) and (3), 22.09 (5), 22.13 (1), 22.13 (3) to (5),
15 and 22.17 (1) to (4) of the statutes; the amendment of sections 7.33 (4) and (5), 13.101
16 (14), 13.58 (5) (a) 5., 13.58 (5) (b) 1., 13.58 (5) (b) 4. (intro.), 13.90 (6), 13.93 (2) (h),
17 14.20 (1) (a), 15.07 (2) (L), 15.107 (7) (f), 16.43, 16.61 (2) (af), 16.61 (3n), 16.70 (4m),
18 16.70 (15), 16.71 (1m), 16.72 (2) (a), 16.72 (2) (b), 16.72 (4) (a), 16.75 (3t) (a), 16.75 (6)
19 (am), 16.752 (12) (i), 16.78 (title), 16.78 (2), subchapter VII (title) of chapter 16
20 [precedes s. 16.97], 19.36 (4), 20.225 (1) (kb), 20.255 (4) (s), 20.255 (4) (t), 20.255 (4)
21 (tm), 20.255 (4) (tu), 20.255 (4) (tw), 20.505 (1) (im), 20.505 (6) (j) 12., 29.038 (1) (a),
22 36.25 (38) (b) 6., 85.12 (3), 115.997 (4), 115.9995 (3), 115.9995 (6) (a), 196.218 (5) (a)
23 5. (by SECTION 111), 196.218 (5) (a) 6., 196.858 (1) and (2), 221.0320 (3) (a), 283.84 (1)
24 (c), and 758.19 (7) of the statutes; ~~and~~ the creation of sections 20.505 (1) (is) and

1 20.505 (1) (kL) of the statutes; and SECTIONS 9115 (1) and 9215 (1) of this act take
2 effect on the 30th day commencing after publication.

3 (END)

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

9dn
LRB-1289/7dr
JTK:kmg:cph

~~February 6, 2003~~

Dan Caucutt, Steve Milioto and Paul Ziegler:

This draft reconciles LRB-0576/7, LRB-0666/9, LRB-1289/6, LRB-1327/1, and LRB-1634/4. LRB-576, LRB-0666, LRB-1289, LRB-1327, and LRB-1634 should all continue to appear in the compiled bill.

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

LRB-1289/9dn
JTK:kmg:jf

February 10, 2003

Dan Caucutt, Steve Milioto and Paul Ziegler:

This draft reconciles LRB-0576/7, LRB-0666/9, LRB-1289/6, LRB-1327/1, and LRB-1634/4. LRB-576, LRB-0666, LRB-1289, LRB-1327, and LRB-1634 should all continue to appear in the compiled bill.

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State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1289/9
JTK:cjs/cmh/kmg/jld:jf

DOA:.....Caucutt/Milioto/Ziegler – BB0306, Abolition of Department of
Electronic Government

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

- 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.

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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 (28) and amended
22 to read:

23 15.105 (28) 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.** 16.72 (2) (a) of the statutes is amended to read:

20 16.72 (2) (a) The department ~~of administration~~ shall prepare standard
21 specifications, as far as possible, for all state purchases. By “standard specifications”
22 is meant a specification, either chemical or physical or both, prepared to describe in
23 detail the article which the state desires to purchase, and trade names shall not be
24 used. On the formulation, adoption and modification of any standard specifications,
25 the department of administration shall also seek and be accorded without cost, the

1 assistance, advice and cooperation of other agencies and officers. Each specification
2 adopted for any commodity shall, insofar as possible, satisfy the requirements of any
3 and all agencies which use it in common. ~~Any specifications for the purchase of~~
4 ~~materials, supplies, equipment, or contractual services for information technology~~
5 ~~or telecommunications purposes are subject to the approval of the chief information~~
6 ~~officer.~~

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

8 16.72 (2) (b) Except as provided in ~~par. (a) and ss. 16.25 (4) (b), 16.751 and,~~
9 560.9813 (4) (b), and 565.25 (2) (a) 4., the department shall prepare or review
10 specifications for all materials, supplies, equipment, other permanent personal
11 property and contractual services not purchased under standard specifications.
12 Such “nonstandard specifications” may be generic or performance specifications, or
13 both, prepared to describe in detail the article which the state desires to purchase
14 either by its physical properties or by its programmatic utility. When appropriate
15 for such nonstandard items or services, trade names may be used to identify what
16 the state requires, but wherever possible 2 or more trade names shall be designated
17 and the trade name of any Wisconsin producer, distributor or supplier shall appear
18 first.

****NOTE: This is reconciled s. 16.72 (2) (b). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1634/4 and LRB-1289/6.

19 **SECTION 23.** 16.72 (4) (a) of the statutes is amended to read:

20 16.72 (4) (a) Except as provided in ss. 16.71 and 16.74 or as otherwise provided
21 in this subchapter and the rules promulgated under s. 16.74 and this subchapter, all
22 supplies, materials, equipment and contractual services shall be purchased for and
23 furnished to any agency only upon requisition to the department. The department

1 shall prescribe the form, contents, number and disposition of requisitions and shall
2 promulgate rules as to time and manner of submitting such requisitions for
3 processing. No agency or officer may engage any person to perform contractual
4 services without the specific prior approval of the department for each such
5 engagement. Purchases of supplies, materials, equipment or contractual services by
6 ~~the department of electronic government,~~ the legislature, the courts or legislative
7 service or judicial branch agencies do not require approval under this paragraph.

8 **SECTION 24.** 16.75 (3t) (a) of the statutes is amended to read:

9 16.75 (3t) (a) In this subsection, “form” has the meaning given under s. ~~22.01~~
10 16.97 (5p).

11 **SECTION 25.** 16.75 (6) (am) of the statutes is amended to read:

12 16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the
13 ~~department of electronic government~~ department relating to information technology
14 or telecommunications. Annually not later than October 1, the department of
15 ~~electronic government~~ shall report to the ~~department of administration~~ governor, in
16 the form specified by the ~~secretary~~ governor, concerning all procurements relating
17 to information technology or telecommunications by the ~~department of electronic~~
18 ~~government~~ department during the preceding fiscal year that were not made in
19 accordance with the requirements of subs. (1) and (3t).

20 **SECTION 26.** 16.752 (12) (i) of the statutes is amended to read:

21 16.752 (12) (i) Paragraph (a) does not apply to procurements by the department
22 ~~of electronic government~~ relating to information technology or telecommunications.

23 **SECTION 27.** 16.78 (title) of the statutes is amended to read:

24 **16.78 (title) Purchases from department of electronic government**
25 **relating to information technology or telecommunications**.

1 **SECTION 28.** 16.78 (1) of the statutes is renumbered 16.78 (1) (a) and amended
2 to read:

3 16.78 (1) (a) ~~Every~~ Except as authorized in par. (b), every agency other than
4 the board of regents of the University of Wisconsin System or an agency making
5 purchases under s. 16.74 shall make all purchases of materials, supplies, equipment,
6 and contractual services relating to information technology ~~or telecommunications~~
7 from the department of ~~electronic government, unless.~~ Except as authorized in par.
8 (b), every agency except an agency making purchases under s. 16.74 shall make all
9 purchases of materials, supplies, equipment, and contractual services relating to
10 telecommunications from the department.

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

21 **SECTION 29.** 16.78 (2) of the statutes is amended to read:

22 16.78 (2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase
23 of materials, supplies, equipment, or contractual services by any agency from the
24 department of ~~electronic government~~ under sub. (1) (a).

1 **SECTION 30.** Subchapter VII (title) of chapter 16 [precedes 16.97] of the statutes
2 is amended to read:

3 **CHAPTER 16**

4 SUBCHAPTER VII

5 **EDUCATIONAL INFORMATION**

6 **TECHNOLOGY**

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

9 **16.97 Definition Definitions.** (intro.) In this subchapter,
10 “telecommunications” has the meaning given in s. ~~22.01~~ (10).;

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

12 **SECTION 33.** 16.974 (1) to (4) of the statutes, as affected by 2003 Wisconsin Act
13 (this act), are renumbered 16.971 (13) to (16).

 ****NOTE: This is reconciled s. 16.974 (1) to (4). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

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

15 **19.36 (4) COMPUTER PROGRAMS AND DATA.** A computer program, as defined in s.
16 ~~22.03~~ **16.971** (4) (c), is not subject to examination or copying under s. 19.35 (1), but
17 the material used as input for a computer program or the material produced as a
18 product of the computer program is subject to the right of examination and copying,
19 except as otherwise provided in s. 19.35 or this section.

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

21 **20.225 (1) (kb) *Emergency weather warning system operation.*** From the
22 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 36. 20.255 (4) (s) of the statutes, as affected by 2003 Wisconsin Act
4 (this act), is amended to read:

5 20.255 (4) (s) *Telecommunications access; school districts.* Biennially, from the
6 universal service fund, the amounts in the schedule to make payments to
7 telecommunications providers under contracts with the department of
8 administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are
9 not paid from the appropriation under s. ~~20.530 (1) (g)~~ 20.505 (1) (is) and, prior to
10 January 1, 2006, to make grants to school districts under s. 115.9995 (6).

****NOTE: This is reconciled s. 20.255 (4) (s). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9, and LRB-1289/6.

11 SECTION 37. 20.255 (4) (t) of the statutes, as affected by 2003 Wisconsin Act
12 (this act), is amended to read:

13 20.255 (4) (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 (1) (g)~~ 20.505 (1)
18 (is).

****NOTE: This is reconciled s. 20.255 (4) (t). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

19 SECTION 38. 20.255 (4) (tm) of the statutes, as affected by 2003 Wisconsin Act
20 (this act), is amended to read:

21 20.255 (4) (tm) *Telecommunications access; private schools.* Biennially, from
22 the universal service fund, the amounts in the schedule to make payments to

1 telecommunications providers under contracts with the department of
2 administration under s. ~~16.974 (3)~~ 16.971 (15) to the extent that the amounts due are
3 not paid from the appropriation under s. ~~20.530 (1) (g)~~ 20.505 (1) (is) and, prior to
4 January 1, 2006, to make grants to private schools under s. 115.9995 (6).

****NOTE: This is reconciled s. 20.255 (4) (tm). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

5 **SECTION 39.** 20.255 (4) (tu) of the statutes, as affected by 2003 Wisconsin Act
6 (this act), is amended to read:

7 20.255 (4) (tu) *Telecommunications access; state schools.* Biennially, from the
8 universal service fund, the amounts in the schedule to make payments to
9 telecommunications providers under contracts with the department of
10 administration under s. ~~16.974 (4)~~ 16.971 (16) to the extent that the amounts due are
11 not paid from the appropriation under s. ~~20.530 (1) (g)~~ 20.505 (1) (kL).

****NOTE: This is reconciled s. 20.255 (4) (tu). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

12 **SECTION 40.** 20.255 (4) (tw) of the statutes, as affected by 2003 Wisconsin Act
13 (this act), is amended to read:

14 20.255 (4) (tw) *Telecommunications access; secured correctional facilities.*
15 Biennially, from the universal service fund, the amounts in the schedule to make
16 payments to telecommunications providers under contracts with the department of
17 administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are
18 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (ke).

****NOTE: This is reconciled s. 20.255 (4) (tw). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

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

20 20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the
21 schedule to provide services and to repurchase inventory items that are provided

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

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

7 20.505 (1) (is) *Information technology and communication services; nonstate*
8 *entities.* All moneys received from state authorities, units of the federal government,
9 local governmental units, and entities in the private sector for the provision of
10 computer, telecommunications, electronic communications, and supercomputer
11 services under ss. 16.972 (2) (b) and (c), 16.974 (2) and (3), and 115.9995 (2) (d), to be
12 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.

***NOTE: This is reconciled s. 20.505 (1) (is). This SECTION has been affected by drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

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

14 20.505 (1) (kL) *Printing, mail, communication and information technology*
15 *services; agencies.* All moneys received from state agencies for the provision of
16 printing, mail processing, electronic communications, and information technology
17 development, management, and processing services under ss. 16.971, 16.972,
18 16.973, and 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.

19 **SECTION 44.** 20.505 (6) (j) 12. of the statutes is amended to read:

20 20.505 (6) (j) 12. The amount transferred to ~~s. 20.530 sub.~~ (1) (kq) shall be the
21 amount in the schedule under ~~s. 20.530 sub.~~ (1) (kq).

1 **SECTION 45.** 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.

2 **SECTION 46.** 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.

3 **SECTION 47.** 20.530 (1) (g) of the statutes, as affected by 2003 Wisconsin Act
4 (this act), is repealed.

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

 ****NOTE: This is reconciled s. 20.530 (1) (g). This SECTION has been affected by drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

5 **SECTION 48.** 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.

6 **SECTION 49.** 20.530 (1) (ja) of the statutes is renumbered 20.505 (1) (ja) and
7 amended to read:

8 20.505 (1) (ja) *Justice information systems.* The amounts in the schedule for
9 the development and operation of automated justice information systems under s.
10 ~~22.03~~ 16.971 (9). Two-ninths of the moneys received under s. 814.635 (1) shall be
11 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.

12 **SECTION 50.** 20.530 (1) (ke) of the statutes, as affected by 2003 Wisconsin Act
13 (this act), is renumbered 20.505 (1) (ke) and amended to read:

14 20.505 (1) (ke) *Telecommunications services; state agencies; veterans services.*
15 The amounts in the schedule to provide telecommunications services to state
16 agencies and to provide veterans services under s. ~~22.07~~ 16.973 (9). All moneys
17 received from the provision of telecommunications services to state agencies under
18 ss. ~~22.05 and 22.07~~ 16.972 and 16.973 or under s. 115.9995 (2) (d), other than moneys

1 received and disbursed under s. 20.225 (1) (kb), shall be credited to this
2 appropriation account.

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

****NOTE: This is reconciled s. 20.530 (1) (ke). This SECTION has been affected by drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

3 **SECTION 51.** 20.530 (1) (kp) of the statutes is repealed.

4 **SECTION 52.** 20.530 (1) (kq) of the statutes is renumbered 20.505 (1) (kq) and
5 amended to read:

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

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

12 **SECTION 53.** 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.

13 **SECTION 54.** 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.

14 **SECTION 55.** Chapter 22 (title) of the statutes is repealed.

15 **SECTION 56.** 22.01 (intro.) of the statutes is repealed.

16 **SECTION 57.** 22.01 (1) of the statutes, as affected by 2003 Wisconsin Act ... (this
17 act), is renumbered 16.97 (1m).

****NOTE: This is reconciled s. 22.01 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-1289/6 and LRB-1327/1.

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

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

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

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

7 **SECTION 62.** 22.03 (2) (intro.), (a) and (ae) of the statutes are renumbered
8 16.971 (2) (intro.), (a) and (ae).

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

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

13 16.971 (2) (L) Require each executive branch agency, other than the board of
14 regents of the University of Wisconsin System, to adopt and submit to the
15 department, in a form specified by the department, no later than March 1 of each
16 year, a strategic plan for the utilization of information technology to carry out the
17 functions of the agency in the succeeding fiscal year for review and approval under
18 s. ~~22.13~~ 16.976.

19 (Lm) No later than 60 days after enactment of each biennial budget act, require
20 each executive branch agency, other than the board of regents of the University of
21 Wisconsin System, that receives funding under that act for an information
22 technology development project to file with the department an amendment to its
23 strategic plan for the utilization of information technology under par. (L). The
24 amendment shall identify each information technology development project for
25 which funding is provided under that act and shall specify, in a form prescribed by

1 the ~~chief information officer~~ department, the benefits that the agency expects to
2 realize from undertaking the project.

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

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

12 **SECTION 66.** 22.03 (2m) (intro.) of the statutes is renumbered 16.971 (2m)
13 (intro.).

14 **SECTION 67.** 22.03 (2m) (a) to (h) of the statutes are renumbered 16.971 (2m)
15 (a) to (h).

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

18 16.971 (3) (a) The ~~chief information officer~~ department shall notify the joint
19 committee on finance in writing of the proposed acquisition of any information
20 technology resource that the department considers major or that is likely to result
21 in a substantive change of service, and that was not considered in the regular
22 budgeting process and is to be financed from general purpose revenues or
23 corresponding revenues in a segregated fund. If the cochairpersons of the committee
24 do not notify the ~~chief information officer~~ department that the committee has
25 scheduled a meeting for the purpose of reviewing the proposed acquisition within 14

1 working days after the date of the ~~officer's~~ department's notification, the department
2 may approve acquisition of the resource. If, within 14 working days after the date
3 of the ~~officer's~~ department's notification, the cochairpersons of the committee notify
4 the ~~officer~~ department that the committee has scheduled a meeting for the purpose
5 of reviewing the proposed acquisition, the department shall not approve acquisition
6 of the resource unless the acquisition is approved by the committee.

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

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

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

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

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

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

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

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

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

7 **16.972 (2) (b)** Provide such computer services and telecommunications services
8 to local governmental units and the broadcasting corporation and provide such
9 telecommunications services to qualified private schools, postsecondary
10 institutions, museums and zoos, 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 local governmental units, the
16 broadcasting corporation, and qualified private schools, postsecondary institutions,
17 museums and zoos, for services provided to them under this paragraph in accordance
18 with a methodology determined by the ~~chief information officer~~ department. Use of
19 telecommunications services by a qualified private school or postsecondary
20 institution shall be subject to the same terms and conditions that apply to a
21 municipality using the same services. The department shall prescribe eligibility
22 requirements for qualified museums and zoos to receive telecommunications
23 services under this paragraph.

24 (c) Provide such supercomputer services to agencies, local governmental units
25 and entities in the private sector as the department considers to be appropriate and

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

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

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

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

13 16.972 (2) (f) Acquire, operate, and maintain any information technology
14 equipment or systems required by the department to carry out its functions, and
15 provide information technology development and management services related to
16 those information technology systems. The department may assess executive
17 branch agencies, other than the board of regents of the University of Wisconsin
18 System, for the costs of equipment or systems acquired, operated, maintained, or
19 provided or services provided under this paragraph in accordance with a
20 methodology determined by the ~~chief information officer~~ department. The
21 department may also charge any agency for such costs as a component of any services
22 provided by the department to the agency.

23 (g) Assume direct responsibility for the planning and development of any
24 information technology system in the executive branch of state government outside
25 of the University of Wisconsin System that the ~~chief information officer~~ department

1 determines to be necessary to effectively develop or manage the system, with or
2 without the consent of any affected executive branch agency. The department may
3 charge any executive branch agency for the department's reasonable costs incurred
4 in carrying out its functions under this paragraph on behalf of that agency.

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

7 16.972 (2) (h) Establish master contracts for the purchase of materials,
8 supplies, equipment, or contractual services relating to information technology or
9 telecommunications for use by agencies, authorities, local governmental units, or
10 entities in the private sector ~~and. The department may require any executive branch~~
11 ~~agency, other than the board of regents of the University of Wisconsin System, to~~
12 ~~make any purchases of materials, supplies, equipment, or contractual services~~
13 ~~relating to information technology that are included under the contract pursuant to~~
14 ~~the terms of the contract. The department may require any executive branch agency~~
15 ~~to make purchases of materials, supplies, equipment, or contractual services~~
16 ~~relating to telecommunications that are included under the contract pursuant to the~~
17 ~~terms of the contract.~~

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

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

20 **SECTION 82.** 22.07 (1) and (2) of the statutes are renumbered 16.973 (1) and (2)
21 and amended to read:

22 16.973 (1) Provide or contract with a public or private entity to provide
23 computer services to agencies. The department may charge agencies for services
24 provided to them under this subsection in accordance with a methodology
25 determined by the ~~chief information officer~~ department.

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

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

4 **SECTION 84.** 22.07 (8) of the statutes is renumbered 16.973 (8) and amended
5 to read:

6 16.973 (8) Offer the opportunity to local governmental units to voluntarily
7 obtain computer or supercomputer services from the department 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 under s. ~~22.05~~
10 16.972 (2) (h) or in the use of any informational system or device provided by the
11 department under ~~22.09~~ 16.974 (3).

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

13 **SECTION 86.** 22.09 (intro.) of the statutes is renumbered 16.974 (intro.) and
14 amended to read:

15 **16.974 Powers of the ~~chief information officer~~ department.** (intro.) The
16 ~~chief information officer~~ department may:

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

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

20 16.974 (2) Subject to s. ~~22.05~~ 16.972 (2) (b), enter into and enforce an agreement
21 with 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 to that agency, authority, unit, or entity at a cost
24 specified in the agreement.

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

17 **SECTION 89.** 22.09 (5) of the statutes is renumbered 16.974 (5) and amended
18 to read:

19 16.974 (5) Review and approve, approve with modifications, or disapprove any
20 proposed contract for the purchase of materials, supplies, equipment, or contractual
21 services relating to information technology ~~or telecommunications~~ by an executive
22 branch agency, other than the board of regents of the University of Wisconsin
23 System, and review and approve, approve with modifications, or disapprove any
24 proposed contract for the purchase of materials, supplies, equipment, or contractual
25 services relating to telecommunications by any executive branch agency.

1 **SECTION 90.** 22.11 of the statutes is renumbered 16.975.

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

3 **SECTION 92.** 22.13 (1) of the statutes is renumbered 16.976 (1) and amended
4 to read:

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

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

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

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

1 branch agency may submit modifications to its proposed plan in response to any
2 recommendations.

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

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

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

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

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

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

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

17 16.978 (1) The board shall provide the ~~chief information officer~~ department
18 with its recommendations concerning any elements of the strategic plan of an
19 executive branch agency that are referred to the board under s. ~~22.13~~ 16.976 (3).

20 (2) The board may advise the ~~chief information officer~~ department with respect
21 to management of the information technology portfolio of state government under s.
22 ~~22.15~~ 16.977.

23 (3) The board may, upon petition of an executive branch agency, review any
24 decision of the ~~chief information officer~~ department under this chapter affecting that
25 agency. Upon review, the board may affirm, modify, or set aside the decision. If the

1 board modifies or sets aside the decision of the ~~chief information officer~~ department,
2 the decision of the board stands as the decision of the ~~chief information officer~~
3 department and the decision is not subject to further review or appeal.

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

11 SECTION 100. 22.19 of the statutes is renumbered 16.9785.

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

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

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

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

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

18 29.038 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~
19 16.97 (7).

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

21 36.25 (38) (b) 6. To pay the department of ~~electronic government~~
22 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1).

23 SECTION 107. 85.12 (3) of the statutes is amended to read:

1 85.12 (3) The department may contract with any local governmental unit, as
2 defined in s. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services
3 under this section.

4 **SECTION 108.** 115.997 (4) of the statutes, as affected by 2003 Wisconsin Act
5 (this act), is amended to read:

6 115.997 (4) “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

 ****NOTE: This is reconciled s. 115.997 (4). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

7 **SECTION 109.** 115.9995 (3) of the statutes, as affected by 2003 Wisconsin Act
8 (this act), is amended to read:

9 115.9995 (3) The department of public instruction shall submit an annual
10 report to the department of administration on the status of providing data lines and
11 video links that are requested under sub. (2) (a) and the impact on the universal
12 service fund of any payment under contracts under s. ~~16.974~~ 16.971 (13) to (16).

 ****NOTE: This is reconciled s. 115.9995 (3). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

13 **SECTION 110.** 115.9995 (6) (a) of the statutes, as affected by 2003 Wisconsin Act
14 (this act), is amended to read:

15 115.9995 (6) (a) From the appropriation under s. 20.255 (4) (s) or (tm), the
16 department may award an annual grant to a school district or private school that had
17 in effect on October 14, 1997, a contract for access to a data line or video link, as
18 documented by the department. The department shall determine the amount of the
19 grant, which shall be equal to the cost incurred by the state to provide
20 telecommunications access to a school district or private school under a contract
21 entered into under s. ~~16.974 (1) or (3)~~ 16.971 (13) or (15) less the amount that the
22 school district or private school would be paying under sub. (2) (d) if the school district

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

****NOTE: This is reconciled s. 115.9995 (6) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

7 **SECTION 111.** 196.218 (5) (a) 5. of the statutes, as affected by 2003 Wisconsin
8 Act (this act), is amended to read:

9 196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 16.971
10 (13) to (16) to the extent that these costs are not paid under s. 115.9995 (2) (d), except
11 that no moneys in the universal service fund may be used to pay installation costs
12 that are necessary for a political subdivision to obtain access to bandwidth under a
13 shared service agreement under s. 115.9995 (2r) (a).

****NOTE: This is reconciled s. 196.218 (5) (a) 5. This SECTION has been affected by
drafts with the following LRB numbers: LRB-0666/9 and LRB-1289/6.

14 **SECTION 112.** 196.218 (5) (a) 6. of the statutes is amended to read:

15 196.218 (5) (a) 6. To pay the department of ~~electronic~~ government
16 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1)
17 to the campuses of the University of Wisconsin System at River Falls, Stout, Superior
18 and Whitewater.

19 **SECTION 113.** 196.858 (1) and (2) of the statutes are amended to read:

20 196.858 (1) The commission shall annually assess against local exchange and
21 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the
22 amounts appropriated under s. ~~20.530~~ 20.505 (1) (ir).

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

11 **SECTION 114.** 221.0320 (3) (a) of the statutes is amended to read:

12 221.0320 (3) (a) In this subsection, “local governmental unit” has the meaning
13 given in s. ~~22.01~~ 16.97 (7).

14 **SECTION 115.** 230.08 (2) (e) 3r. of the statutes is repealed.

15 **SECTION 116.** 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 117.** 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 115.9995 (2) (d) of the statutes, as affected by this act, for the
11 provision of computer services, telecommunications services, and supercomputer
12 services to state authorities, units of the federal government, local governmental
13 units, and entities in the private sector, as determined by the secretary of
14 administration, is transferred to the appropriation account under section 20.505 (1)
15 (is) of the statutes, as created 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, as affected by this
21 act.

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

25 **SECTION 9415. Effective dates; electronic government.**

1 (1) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT. The repeal of sections
2 15.21, 15.215 (title), 16.71 (2m), 16.974 (intro.), 20.530 (intro.), 20.530 (1) (title),
3 20.530 (1) (g), 20.530 (1) (kp), 20.530 (1) (m), 20.923 (4) (h) 2., chapter 22 (title), 22.01
4 (intro.), 22.01 (5), and 230.08 (2) (e) 3r. of the statutes; the renumbering of sections
5 16.974 (1) to (4), 20.530 (1) (ir), 22.01 (1), (2), (2m), (3) and (4), 22.01 (5m) to (10), 22.03
6 (title), 22.03 (2) (intro.), (a) and (ae), 22.03 (2) (am) to (k), 22.03 (2) (n), 22.03 (2m)
7 (intro.), 22.03 (2m) (a) to (h), 22.03 (4) and (6), 22.03 (11), 22.05 (title), 22.05 (1), 22.05
8 (2) (intro.) and (a), 22.05 (2) (d), 22.05 (2) (e), 22.05 (2) (i), 22.07 (intro.), 22.07 (3) to
9 (7), 22.07 (9), 22.09 (1), 22.11, 22.13 (title), 22.13 (2), 22.13 (6), 22.15 (intro.), 22.15
10 (1) to (3), 22.17 (title), 22.19, 22.41 (title), 22.41 (2) (intro.), 22.41 (2) (a) to (f), and
11 22.41 (3) of the statutes; the renumbering and amendment of sections 15.215 (1),
12 16.78 (1), 16.97, 20.530 (1) (ja), 20.530 (1) (ke), 20.530 (1) (kq), 22.03 (2) (L) to (m),
13 22.03 (3), 22.03 (9), 22.05 (2) (b) and (c), 22.05 (2) (f) and (g), 22.05 (2) (h), 22.07 (1)
14 and (2), 22.07 (8), 22.09 (intro.), 22.09 (2) and (3), 22.09 (5), 22.13 (1), 22.13 (3) to (5),
15 and 22.17 (1) to (4) of the statutes; the amendment of sections 7.33 (4) and (5), 13.101
16 (14), 13.58 (5) (a) 5., 13.58 (5) (b) 1., 13.58 (5) (b) 4. (intro.), 13.90 (6), 13.93 (2) (h),
17 14.20 (1) (a), 15.07 (2) (L), 15.107 (7) (f), 16.43, 16.61 (2) (af), 16.61 (3n), 16.70 (4m),
18 16.70 (15), 16.71 (1m), 16.72 (2) (a), 16.72 (2) (b), 16.72 (4) (a), 16.75 (3t) (a), 16.75 (6)
19 (am), 16.752 (12) (i), 16.78 (title), 16.78 (2), subchapter VII (title) of chapter 16
20 [precedes s. 16.97], 19.36 (4), 20.225 (1) (kb), 20.255 (4) (s), 20.255 (4) (t), 20.255 (4)
21 (tm), 20.255 (4) (tu), 20.255 (4) (tw), 20.505 (1) (im), 20.505 (6) (j) 12., 29.038 (1) (a),
22 36.25 (38) (b) 6., 85.12 (3), 115.997 (4), 115.9995 (3), 115.9995 (6) (a), 196.218 (5) (a)
23 5. (by SECTION 111), 196.218 (5) (a) 6., 196.858 (1) and (2), 221.0320 (3) (a), 283.84 (1)
24 (c), and 758.19 (7) of the statutes; the creation of sections 20.505 (1) (is) and 20.505

1 (1) (kL) of the statutes; and SECTIONS 9115 (1) and 9215 (1) of this act take effect on
2 the 30th day commencing after publication.

3 (END)