



2003 SENATE BILL 297

October 29, 2003 - Introduced by Senators KANAVAS, WELCH and DARLING, cosponsored by Representatives HUEBSCH, JENSEN, HINES, ALBERS, LEMAHIEU, LOTHIAN, NISCHKE, BIES and WEBER. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

1 **AN ACT to amend** 16.76 (4) (ag), 16.966 (3), 16.966 (3) and 16.967 (6); and **to**
2 **create** 16.967 (3) (f) of the statutes; **relating to:** state government
3 management systems, land information, and state printed publications.

Analysis by the Legislative Reference Bureau

This bill makes changes in laws relating to management of state government, land information and state printed publications.

State government management systems

Current law authorizes the Department of Administration (DOA) to enter into a master lease pursuant to which the department pays an amount equivalent to or in excess of the aggregate value of property or services obtained under the lease and pursuant to which the department or other state agencies, upon compliance with the lease, will become or have the option to become the owner of property obtained under the lease. With certain limited exceptions, DOA may enter into a master lease whenever DOA determines that it is advantageous to the state to do so. This bill specifies that DOA may enter into a master lease for personal computer hardware and software only if the master lease is more cost-effective than a simple lease.

This bill also directs the secretary of administration to issue requests for proposals in the 2003-05 fiscal biennium for all of the following:

1. A budgeting system that facilitates consideration in the budgeting process of information on the performance of programs, so that state funding decisions may be based on whether state agencies are accomplishing expected results.
2. An accounting system.

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3. A system for the procurement of all laundry services for state-provided uniforms; cleaning, custodial, and laundry supplies; consumable janitorial supplies; all other necessary materials, supplies, and equipment; all other permanent personal property and miscellaneous capital; all contractual services; and all other expenses of a consumable nature for all state agencies and, if participating, for the legislative and judicial branches of state government.

4. A human resources system for the processing of all employment information and payroll transactions and for providing information to state employees concerning their pay and benefits.

5. An Internet portal for access to the state agency Web sites and, if participating, Web sites of the legislative and judicial branches of state government.

Each of these systems must be applicable to all executive branch state agencies and open to the participation of the legislative and judicial branches of state government and must permit authorized persons to access the system via an Internet browser or device designed to access the World Wide Web. The bill also imposes certain additional requirements applicable to any proposal for the procurement system described in Item 3., above. The bill further requires the secretary of administration to provide the legislature with a status report by July 1, 2004, and establishes a timeline for the full implementation of these systems during the 2005–07 fiscal biennium. As part of the implementation, DOA must submit a plan to eliminate 88.0 authorized FTE positions that perform duties primarily related to state agency procurement and that are funded with nonfederal moneys.

Land information

Currently, DOA may develop and maintain geographic information systems relating to land information in this state for the use of governmental units and nongovernmental organizations. This bill makes proposed expenditures for the development and maintenance of land information systems subject to approval of the Land Information Board, which must ensure that all such expenditures are consistent with requirements imposed upon state agencies that currently submit annual land information reports to the board.

Currently, the Land Information Board integrates land information received from state agencies in such a way that the information is readily translatable, retrievable, and geographically referenced to enable members of the public to use the information. This bill provides that the integrated information must be accessible on the Internet.

State printed publications

This bill requires state agencies in the executive branch to obtain the approval of the secretary of administration before printing any publication during the 2003–05 fiscal biennium from any revenue source other than federal revenues unless printing of the publication is required by the constitution or by law. Under the bill, the secretary must disapprove the printing of any publication unless the secretary finds that printing of the publication is essential. The bill also directs the secretary to lapse or transfer to the general fund an amount of moneys equal to the estimated savings from sum certain appropriations accruing to the state as a result of not printing disapproved publications unless state law or the federal or state

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constitution otherwise requires or unless the lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys. In addition, the bill directs any state agency that does not print a publication in the 2003-05 fiscal biennium that would otherwise have been printed to post the content of the publication on the Internet.

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.** 16.76 (4) (ag) of the statutes is amended to read:

2 16.76 (4) (ag) The Except as otherwise provided in this paragraph, the
3 department may pay or agree to pay under a master lease a sum substantially
4 equivalent to or in excess of the aggregate value of property or services obtained and
5 it may be agreed that the department or one or more agencies will become, or for no
6 other or nominal consideration has the option to become, the owner of property
7 obtained or to be obtained under a master lease upon full compliance with its terms.
8 If the master lease is for personal computer hardware and software, the department
9 may make agreements concerning payments and ownership as described in this
10 paragraph only if the master lease pursuant to which the department makes such
11 agreements is more cost-effective to the state than one or more leases for the
12 hardware and software pursuant to which the department does not make
13 agreements concerning payments and ownership as described in this paragraph.

14 **SECTION 2.** 16.966 (3) of the statutes is amended to read:

15 16.966 (3) The Subject to approval of the land information board under s.
16 16.967 (3) (f), the department may develop and maintain geographic information
17 systems relating to land in this state for the use of governmental and
18 nongovernmental units.

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1 **SECTION 3.** 16.966 (3) of the statutes, as affected by 2003 Wisconsin Act (this
2 act), is amended to read:

3 16.966 (3) ~~Subject to approval of the land information board under s. 16.967~~
4 ~~(3) (f), the~~ The department may develop and maintain geographic information
5 systems relating to land in this state for the use of governmental and
6 nongovernmental units.

7 **SECTION 4.** 16.967 (3) (f) of the statutes is created to read:

8 16.967 (3) (f) Review and approve or disapprove proposed expenditures for the
9 development and maintenance of land information systems under s. 16.966 (3). The
10 board shall ensure that all expenditures are consistent with the requirements under
11 sub. (6).

12 **SECTION 5.** 16.967 (6) of the statutes, as affected by 1997 Wisconsin Act 27,
13 section 141am, is amended to read:

14 16.967 (6) **REPORTS.** By March 31 of each year, the department of
15 administration, the department of agriculture, trade and consumer protection, the
16 department of commerce, the department of health and family services, the
17 department of natural resources, the department of tourism, the department of
18 revenue, the department of transportation, the board of regents of the University of
19 Wisconsin System, the public service commission and the board of curators of the
20 historical society shall each submit to the board a plan to integrate land information
21 to enable such information to be readily translatable, retrievable and geographically
22 referenced for use by any state, local governmental unit or public utility. The plans
23 shall include the information that will be needed by local governmental units to
24 prepare comprehensive plans containing the planning elements required under s.
25 66.1001 (2). Upon receipt of this information, the board shall integrate the

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1 information to enable the information to be used to meet land information data
2 needs. The integrated information shall be readily translatable, retrievable, and
3 geographically referenced to enable members of the public to use access the
4 information on the Internet.

SECTION 6. Nonstatutory provisions.

6 (1) DEVELOPMENT OF STATE GOVERNMENT MANAGEMENT SYSTEMS AND WEB SITE.

7 (a) *Definitions*. In this subsection:

8 1. "Department" means the department of administration.

9 2. "Secretary" means the secretary of administration.

10 3. "State agency" means an office, department, agency, institution of higher
11 education, association, society, or other body in state government created or
12 authorized to be created by the constitution or any law, which is entitled to expend
13 moneys appropriated by law, except that "state agency" does not include the
14 legislative and judicial branches of state government or an authority.

15 (b) *Competitive sealed proposals*. During the 2003-05 fiscal biennium, the
16 department shall solicit competitive sealed proposals under section 16.75 (2m) of the
17 statutes for systems described in this paragraph. Each system shall be applicable
18 to all state agencies and open to the participation of the legislative and judicial
19 branches of state government and shall permit authorized persons to access the
20 system via an Internet browser or device designed to access the World Wide Web. The
21 systems are as follows:

22 1. A budgeting system that facilitates consideration in the budgeting process
23 of information on the performance of programs, so that state funding decisions may
24 be based on whether state agencies are accomplishing expected results.

25 2. An accounting system.

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1 3. A system for the procurement of all laundry services for state-provided
2 uniforms; cleaning, custodial, and laundry supplies; consumable janitorial supplies;
3 all other necessary materials, supplies, and equipment; all other permanent
4 personal property and miscellaneous capital; all contractual services; and all other
5 expenses of a consumable nature for all state agencies and, if participating, for the
6 legislative and judicial branches of state government.

7 4. A human resources system for the processing of all employment information
8 and payroll transactions and for providing information to state employees
9 concerning their pay and benefits.

10 5. An Internet portal for access to the state agency Web sites and, if
11 participating, Web sites of the legislative and judicial branches of state government.

12 (c) *Additional requirements for procurement system.* A competitive sealed
13 proposal for the system described in paragraph (b) 3. shall satisfy all of the following:

14 1. The proposal shall provide for a system that is designed specifically for the
15 needs of the state but shall provide no initial software customization cost to the state.

16 2. The proposal shall provide for a system that will utilize centralized
17 processing of procurement orders.

18 3. The proposal shall provide for a system that will aggregate invoices for each
19 state agency and, if participating, for the legislative and judicial branches of state
20 government.

21 4. The proposal shall provide for a system that will be integrated with the
22 budgetary information of each state agency and, if participating, with the budgetary
23 information of the legislative and judicial branches of state government and shall
24 facilitate the monthly identification of expenditures in excess of budgeted amounts.

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1 5. The proposal shall provide for a system that will allow authorized persons
2 to enter procurement orders via an Internet browser, a device designed to access the
3 World Wide Web, a facsimile transmission, a telephone, or another method of
4 inputting data electronically into the system.

5 6. The proposal shall provide for training via the Internet and shall provide for
6 on-site, in-person training at all major state facilities.

7 (d) *Status and informational report.* No later than July 1, 2004, the
8 department shall submit a report to the appropriate standing committees of the
9 legislature in the manner provided under section 13.172 (3) of the statutes,
10 indicating all of the following:

11 1. The status of the solicitations under paragraph (b).

12 2. The current estimated cost for implementing proposals that comply with
13 paragraph (b).

14 3. The manner in which the secretary will measure the cost savings and
15 efficiencies achieved through implementation of proposals that comply with
16 paragraph (b) and an estimate of any expected cost savings and efficiencies.

17 4. The feasibility of consolidating all state agency employees performing duties
18 primarily related to state agency procurement into the department's bureau of
19 procurement.

20 (e) *Implementation.* During the 2003-05 fiscal biennium, the department shall
21 implement any portion of a lowest, acceptable competitive sealed proposal solicited
22 under paragraph (b) that may be implemented without statutory changes or
23 additional funding. The department shall include, in the program and financial
24 information required to be forwarded under section 16.42 (1) of the statutes by
25 September 15, 2004, a plan for the implementation, during the 2005-07 fiscal

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1 biennium, of the remaining portions of the lowest, acceptable competitive sealed
2 proposals solicited under paragraph (b). The plan shall include all of the following:

3 1. The estimated resources needed to implement the plan.

4 2. Statutory changes that, in the opinion of the department, are needed to
5 implement the plan, including statutory changes requiring all state agencies to
6 utilize the system described under paragraph (b) 3. for all applicable state agency
7 procurements.

8 3. Within 6 months after implementation of the system described under
9 paragraph (b) 3., the deletion of 88.0 authorized FTE positions that perform duties
10 primarily related to state agency procurement and that are funded with nonfederal
11 moneys.

12 4. The lapse to the general fund from the appropriate appropriation account of
13 any state agency in which a position funded from general purpose revenue is
14 eliminated under subdivision 3. of an amount equal to the salary and fringe benefits
15 budgeted for the position for the balance of each applicable fiscal year; and the
16 transfer to the general fund from the appropriate appropriation account of any state
17 agency in which a position funded from a source other than general purpose revenue
18 or federal revenue is eliminated under subdivision 3. of an amount equal to the salary
19 and fringe benefits budgeted for the position for the balance of each applicable fiscal
20 year.

21 (2) PRINTED PUBLICATIONS.

22 (a) In this subsection:

23 1. “Department” has the meaning given for “executive branch agency” in
24 section 16.70 (4) of the statutes.

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1 2. “Federal revenues” has the meaning given in section 20.001 (2) (e) of the
2 statutes.

3 3. “General purpose revenues” has the meaning given in section 20.001 (2) (a)
4 of the statutes.

5 4. “Program revenues” has the meaning given in section 20.001 (2) (b) or (c) of
6 the statutes.

7 5. “Program revenues–service” has the meaning given in section 20.001 (2) (c)
8 of the statutes.

9 6. “Segregated fund revenues” has the meaning given in section 20.001 (2) (d)
10 or (da) of the statutes.

11 7. “Segregated fund revenues — service” has the meaning given in section
12 20.001 (2) (da) of the statutes.

13 (b) Notwithstanding section 16.50 (1) of the statutes, the secretary of
14 administration shall require submission of an expenditure estimate under section
15 16.50 (2) of the statutes for each department that proposes to expend moneys that
16 are not encumbered on the effective date of this paragraph from any revenue source
17 other than federal revenues for printing of any publication during the 2003–05 fiscal
18 biennium that is not required to be printed by the constitution or by law.
19 Notwithstanding section 16.50 (2) of the statutes, the secretary shall disapprove any
20 such estimate for printing of a publication unless the secretary finds that printing
21 of the publication is essential.

22 (c) Except as provided in paragraph (d), the secretary of administration shall,
23 during the fiscal year for which an expenditure estimate is submitted under
24 paragraph (b), lapse to the general fund the amount of any estimate disapproved
25 under paragraph (b) for expenditure of moneys that are appropriated from any

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1 appropriation, other than a sum sufficient appropriation, made from general
2 purpose revenues. Except as provided in paragraph (d), the secretary shall, during
3 the fiscal year for which an expenditure estimate is submitted under paragraph (b),
4 transfer to the general fund the amount of any estimate disapproved under
5 paragraph (b) for the expenditure of moneys that are appropriated from any
6 appropriation, other than a sum sufficient appropriation, made from program
7 revenues, program revenues–service, segregated fund revenues, or segregated fund
8 revenues — service. The secretary shall reestimate to subtract from the expenditure
9 estimate published in the acts of 2003 under section 20.005 (3) of the statutes the
10 amount of any estimate disapproved under paragraph (b) for expenditure of moneys
11 that are appropriated from any sum sufficient appropriation. The secretary shall
12 include any reestimate under this paragraph in his or her submission under section
13 20.004 (2) of the statutes.

14 (d) No lapse or transfer of moneys shall be made under this subsection from any
15 appropriation if the lapse or transfer would violate a condition imposed by the federal
16 government on the expenditure of the moneys or if the lapse or transfer would violate
17 state law or the federal or state constitution.

18 (e) If the secretary of administration disapproves an expenditure estimate for
19 the printing of any publication under paragraph (b), the department submitting the
20 estimate shall post the content of the publication that would have been printed on
21 the Internet.

22 **SECTION 7. Effective dates.** This act takes effect on the day after publication,
23 except as follows:

