

## 2007 DRAFTING REQUEST

### Bill

Received: **01/16/2007**

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-8270**

By/Representing: **Reines**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Public Records  
State Govt - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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### Pre Topic:

DOA:.....Reines, BB0377 -

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### Topic:

Public records management

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### Instructions:

Per attached request.

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 01/23/2007 gmalaise 01/23/2007	kfollett 01/24/2007		_____			
/1			pgreensl 01/24/2007	_____	cduerst 01/24/2007		
/2	jkuesel 01/25/2007	kfollett 01/25/2007	pgreensl 01/25/2007	_____	sbasford 01/25/2007		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	gmalaise 01/26/2007	kfollett 01/26/2007	pgreensl 01/26/2007	_____	cduerst 01/26/2007		

FE Sent For:

**<END>**

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/2	jkuesel 01/25/2007	kfollett 01/25/2007 13/gf 1/28	pgreensl 01/25/2007 1/26 ps	_____	sbasford 01/25/2007		

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/1	jkuesel <i>1/25 jkuesel</i> <i>1/25/07</i>	<i>1/25</i>	pgreensl 01/24/2007	<i>1/25</i> <i>pg</i>	cduerst 01/24/2007		
FE Sent For:			<i>1/25</i> <i>pg</i>	<i>RS</i>			

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/?	jkuesel 01/23/2007 gmalaise 01/23/2007	kfollett 01/24/2007					
/1 h	jkuesel 1/25/07		pgreensl 01/24/2007		cduerst 01/24/2007		

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12/1	jkuesel 1/23/07	1/kf 1/24	1/24 R8	1/24 R8	1/24 R8		
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<END>

FE Sent For:

## 2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Modify the Public Records Board membership and duties and create an appropriation in the State Historical Society
- Tracking Code: BB0377
- SBO team: General Government and Justice
- SBO analyst: Bruce Reines
  - Phone: 266-8270
  - Email: [Bruce.Reines@wi.gov](mailto:Bruce.Reines@wi.gov)
- Agency acronym: DOA
- Agency number: 505
- Priority (Low, Medium, High): High

The language requested should provide the following components.

Add the following members to the Public Records Board:

- ◆ Department of Administration Secretary or designee;
- ◆ a state employee designated by the DOA Secretary as the state's chief information officer;
- ◆ an agency administrative officer, appointed by the Governor.

Further, the Public Records Board would be provided the authority to require agencies to prepare and submit to the board a record and information plan, as specified by the board. The language could be patterned after DOA's authority for strategic IT planning.

Create a PRS continuing appropriation in the State Historical Society to accept funds from other governmental entities to fund records management programs. The intent is that most of the funding will come from DOA service appropriations.



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1535/?  
JTK&GMM...

1  
gf

DOA:.....Reines, BB0377 - Public records management

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

(board)

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, the State Historical Society of Wisconsin (Historical Society) preserves public records that the Public Records Board determines to be worthy of permanent preservation. This bill appropriates to the Historical Society all moneys received from other state agencies for the management of public records and other information in the possession of the Historical Society, for that purpose.

Int  
A

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

Int  
1-1

SECTION 1. 20.245 (1) (kw) of the statutes is created to read:

20.245 (1) (kw) *Records management-service funds.* All moneys received from other state agencies for the management of public records and other information in the possession of the historical society, for that purpose.

**SECTION 1**

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

**(END)**

2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1535/1ins2  
JTK.....

Insert A

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Public Records  
= Board

Currently, the public records board consists of the governor, the director of the historical society, the attorney general, the state auditor, and the director of the legislative council staff or their designees, together with the following members appointed by the governor to serve at his or her pleasure: a representative of the small business community, a representative of the governing body of a county, municipality, special purpose district, or Indian tribe, and one other member. This bill adds three additional members: 1) the secretary of administration or the secretary's designee; 2) a state employee who is to be designated by the secretary of administration as the "chief information officer" of this state; and 3) an administrative officer of an executive branch state agency, who is appointed by the governor to serve at his or her pleasure.

X  
X  
X  
X

(+)

keep & cap

The bill also permits the public records board to require any executive branch state agency to adopt and submit to the board annually for its review and approval, in a form specified by the board, a plan for the management of public records and information in the agency's possession.

X

(edit insert)

2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1535/lins  
JTK.....

(Insert)

**SECTION 1.** 15.105 (4) of the statutes is amended to read:

15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which is attached to the department of administration under s. 15.03. The public records board shall consist of the governor, the secretary of administration, the director of the historical society, the attorney general, the state auditor, and the director of the legislative council staff, or their designated representatives, the individual who is designated under s. 16.004 (13) as this state's chief information officer, an administrative officer of an executive branch agency, as defined in s. 16.70 (4), and a representative of the small business community, a representative of a school board or the governing body of a municipality, as defined in s. 281.59 (1) (c), and one other member.

**History:** 1971 c. 40, 164, 270; 1973 c. 90, 333; 1975 c. 397; 1977 c. 29 s. 1649; 1977 c. 196 ss. 9, 10; 1977 c. 325, 392, 396, 418, 447; 1981 c. 20, 62, 182, 350, 374; 1983 a. 27, 91; 1983 a. 192 s. 303 (7); 1983 a. 371; 1985 a. 29 ss. 68 to 70, 87, 3202 (27); 1985 a. 180 s. 30m; 1987 a. 27, 142; 1987 a. 147 s. 25; 1987 a. 204, 342; 1989 a. 31, 56, 107, 345; 1991 a. 212, 269; 1993 a. 75, 246, 349, 437, 465, 491; 1995 a. 27 ss. 79 to 118p, 9116 (5), 9126 (19); 1995 a. 221, 225; 1997 a. 3; 1997 a. 27 ss. 51 to 53, 9456 (3m); 1997 a. 247; 1999 a. 9, 105, 185; 2001 a. 16 ss. 139, 174, 109; 2003 a. 33 ss. 87s to 97d, 115, 2811, 9160; 2003 a. 48 ss. 10, 11; 2003 a. 171; 2003 a. 206 s. 23; 2005 a. 25 ss. 47, 48, 2493; 2005 a. 253.

**SECTION 2.** 16.004 (13) of the statutes is created to read:

16.004 (13) CHIEF INFORMATION OFFICER. The secretary shall designate an employee of the department to serve as this state's chief information officer.

**SECTION 3.** 16.61 (2) (ac) of the statutes is created to read:

16.61 (2) (ac) "Executive branch agency" has the meaning given in s. 16.70 (4).

**SECTION 4.** 16.61 (3) (g) of the statutes is created to read:

16.61 (3) (g) May require any executive branch agency to adopt and submit to the board annually for its review and approval, in a form specified by the board, a plan for the management of public records and information in the agency's possession.

(End of insert)

**Kuesel, Jeffery**

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**From:** Reines, Bruce - DOA  
**Sent:** Thursday, January 25, 2007 8:43 AM  
**To:** Kuesel, Jeffery; Malaise, Gordon  
**Cc:** Dombrowski, Cynthia A - DOA  
**Subject:** FW: LRB Draft: 07-1535/1 Public records management

First, thanks for the quick turnaround on this draft. We received the final decision yesterday and we only need the creation of the new appropriation for the State Historical Society. So sections 1 through 4 can be deleted.

Thanks again.

br

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**From:** Greenslet, Patty [mailto:Patty.Greenslet@legis.wisconsin.gov]  
**Sent:** Wednesday, January 24, 2007 11:10 AM  
**To:** Reines, Bruce - DOA  
**Cc:** Hanaman, Cathlene - LEGIS; Palchik, Laurie A - DOA  
**Subject:** LRB Draft: 07-1535/1 Public records management

*Following is the PDF version of draft 07-1535/1.*



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1535/r 2  
JTK&GMM:kjf:rg

DOA:.....Reines, BB0377 - Public records management

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*  
**EDUCATION**

**OTHER EDUCATIONAL AND CULTURAL AGENCIES**

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The bill also permits the Public Records Board to require any executive branch state agency to adopt and submit to the board annually for its review and approval, in a form specified by the board, a plan for the management of public records and information in the agency's possession.

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

1       **SECTION 1.** 15.105 (4) of the statutes is amended to read:

2       15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which  
3 is attached to the department of administration under s. 15.03. The public records  
4 board shall consist of the governor, the secretary of administration, the director of  
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6 legislative council staff, or their designated representatives, the individual who is  
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9 a representative of the small business community, a representative of a school board  
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18       16.61 (3) (g) May require any executive branch agency to adopt and submit to  
19 the board annually for its review and approval, in a form specified by the board, a

1 plan for the management of public records and information in the agency's  
2 possession.

3 SECTION <sup>#</sup>5. 20.245 (1) (kw) of the statutes is created to read:

4 20.245 (1) (kw) *Records management-service funds*. All moneys received from  
5 other state agencies for the management of public records and other information in  
6 the possession of the historical society, for that purpose.

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

7 (END)

**Malaise, Gordon**

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**From:** Reines, Bruce - DOA  
**Sent:** Thursday, January 25, 2007 5:29 PM  
**To:** Malaise, Gordon  
**Subject:** FW: LRB Draft: 07-1535/2 Public records management  
**Attachments:** 07-1535/2

Thanks again for the quick turnaround. One question: would the language in the appropriation limit the appropriation to the activity relating to records in the possession of the State Historical Society?

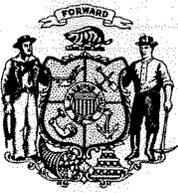
If so, we need to amend the language to provide for the payment by state agencies for records management planning and other program services. Perhaps an amendment to s.16.62 (3) to broaden that language to allow DOA to charge a fee or transfer funding for records planning or management activities to the SHS appropriation.

br

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**From:** Greenslet, Patty [mailto:Patty.Greenslet@legis.wisconsin.gov]  
**Sent:** Thursday, January 25, 2007 12:53 PM  
**To:** Reines, Bruce - DOA  
**Cc:** Hanaman, Cathlene - LEGIS; Palchik, Laurie A - DOA  
**Subject:** LRB Draft: 07-1535/2 Public records management

*Following is the PDF version of draft 07-1535/2.*



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1535/2

GMM:kjf:pk

3  
GMM

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Don't Gen

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5 the possession of the historical society, for that purpose.

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planning activities relating to

those purposes

use tax

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1

**(END)**



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1535/3  
GMM:kjf:pg

DOA:.....Reines, BB0377 - Public records management

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