
SENATE BILL 5256

State of Washington

61st Legislature

2009 Regular Session

By Senator Hargrove

Read first time 01/19/09. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to information technology; amending RCW 43.20A.060,
2 43.105.290, 43.105.340, 43.105.350, 43.105.360, and 43.105.800;
3 creating a new section; repealing RCW 43.105.005, 43.105.017,
4 43.105.020, 43.105.032, 43.105.041, 43.105.047, 43.105.052, 43.105.055,
5 43.105.057, 43.105.060, 43.105.070, 43.105.080, 43.105.095, 43.105.105,
6 43.105.160, 43.105.170, 43.105.180, 43.105.190, 43.105.200, 43.105.210,
7 43.105.320, 43.105.330, 43.105.810, 43.105.815, 43.105.820, 43.105.825,
8 43.105.830, 43.105.835, 43.105.900, 43.105.901, 43.105.902, 43.105.903,
9 43.105.904, and 43.105.905; providing effective dates; and declaring an
10 emergency.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

12 **Sec. 1.** RCW 43.20A.060 and 1989 1st ex.s. c 9 s 213 are each
13 amended to read as follows:

14 (1) The department of social and health services shall be
15 subdivided into divisions, including a division of vocational
16 rehabilitation. Except as otherwise specified or as federal
17 requirements may differently require, these divisions shall be
18 established and organized in accordance with plans to be prepared by
19 the secretary and approved by the governor. In preparing such plans,

1 the secretary shall endeavor to promote efficient public management, to
2 improve programs, and to take full advantage of the economies, both
3 fiscal and administrative, to be gained from the consolidation of the
4 departments of public assistance, institutions, the veterans'
5 rehabilitation council, and the division of vocational rehabilitation
6 of the coordinating council on occupational education.

7 (2) The department shall eliminate the information system services
8 division and may not maintain a similar division in the future. The
9 division's current responsibilities must be absorbed by the
10 department's various administrations within the department's current
11 funding levels.

12 **Sec. 2.** RCW 43.105.290 and 1996 c 171 s 13 are each amended to
13 read as follows:

14 The state library, with the assistance of (~~the department of~~
15 ~~information services and~~) the state archives, shall establish a pilot
16 project to design and test an electronic information locator system,
17 allowing members of the public to locate and access electronic public
18 records. In designing the system, the following factors shall be
19 considered: (1) Ease of operation by citizens; (2) access through
20 multiple technologies, such as direct dial and toll-free numbers,
21 kiosks, and the internet; (3) compatibility with private online
22 services; and (4) capability of expanding the electronic public records
23 included in the system. The pilot project may restrict the type and
24 quality of electronic public records that are included in the system to
25 test the feasibility of making electronic public records and
26 information widely available to the public.

27 **Sec. 3.** RCW 43.105.340 and 2008 c 151 s 2 are each amended to read
28 as follows:

29 ~~((1))~~ The (~~department~~) attorney general's office shall
30 coordinate among state agencies to develop a consumer protection web
31 site. The web site shall serve as a one-stop web site for consumer
32 information. At a minimum, the web site must provide links to
33 information on:

34 ~~((a))~~ (1) Insurance information provided by the office of the
35 insurance commissioner, including information on how to file consumer

1 complaints against insurance companies, how to look up authorized
2 insurers, and how to learn more about health insurance benefits;

3 ~~((b))~~ (2) Child care information provided by the department of
4 early learning, including how to select a child care provider, how
5 child care providers are rated, and information about product recalls;

6 ~~((c))~~ (3) Financial information provided by the department of
7 financial institutions, including consumer information on financial
8 fraud, investing, credit, and enforcement actions;

9 ~~((d))~~ (4) Health care information provided by the department of
10 health, including health care provider listings and quality assurance
11 information;

12 ~~((e))~~ (5) Home care information provided by the home care quality
13 authority, including information to assist consumers in finding an in-
14 home provider;

15 ~~((f))~~ (6) Licensing information provided by the department of
16 licensing, including information regarding business, vehicle, and
17 professional licensing; and

18 ~~((g))~~ (7) Other information available on existing state agency
19 web sites that could be a helpful resource for consumers.

20 ~~((2) By July 1, 2008, state agencies shall report to the
21 department on whether they maintain resources for consumers that could
22 be made available through the consumer protection web site.~~

23 ~~(3) By September 1, 2008, the department shall make the consumer
24 protection web site available to the public.~~

25 ~~(4) After September 1, 2008, the department, in coordination with
26 other state agencies, shall develop a plan on how to build upon the
27 consumer protection web site to create a consumer protection portal.
28 The plan must also include an examination of the feasibility of
29 developing a toll-free information line to support the consumer
30 protection portal. The plan must be submitted to the governor and the
31 appropriate committees of the legislature by December 1, 2008.)~~

32 **Sec. 4.** RCW 43.105.350 and 2008 c 262 s 3 are each amended to read
33 as follows:

34 (1) For purposes of compliance with section 2, chapter 262, Laws of
35 2008 or any subsequent high-speed internet deployment and adoption
36 initiative, ~~((the department of information services,))~~ the department
37 of community, trade, and economic development, the utilities and

1 transportation commission, and any other government agent or agency
2 shall not gather or request any information related to high-speed
3 internet infrastructure or service from providers of telecommunications
4 or high-speed internet services that is classified by the provider as
5 proprietary or competitively sensitive.

6 (2) Nothing in this section may be construed as limiting the
7 authority of a state agency or local government to gather or request
8 information from providers of telecommunications or high-speed internet
9 services for other purposes pursuant to its statutory authority.

10 **Sec. 5.** RCW 43.105.360 and 2008 c 262 s 5 are each amended to read
11 as follows:

12 (1) By January 1, 2009, (~~the department, in consultation with~~)
13 Washington State University(~~(7)~~) shall identify and make publicly
14 available a web directory of public facilities that provide community
15 technology programs throughout the state.

16 (2) For the purposes of this section, "community technology
17 program" has the same meaning as in RCW 28B.32.020.

18 **Sec. 6.** RCW 43.105.800 and 1999 c 285 s 2 are each amended to read
19 as follows:

20 The K-20 educational network board is created. The purpose of the
21 K-20 board is to ensure that the K-20 educational telecommunications
22 network is operated in a way that serves the broad public interest
23 above the interest of any network user.

24 (1) The K-20 board shall comprise (~~eleven~~) nine voting and seven
25 nonvoting members as follows:

26 (a) Voting members shall include: A person designated by the
27 governor; one member of each caucus of the senate, appointed by the
28 president of the senate; one member of each caucus of the house of
29 representatives, appointed by the speaker of the house of
30 representatives; the superintendent of public instruction or his or her
31 designee; the executive director of the higher education coordinating
32 board or his or her designee; the executive director of the state board
33 for community and technical colleges or his or her designee; (~~the~~
34 ~~chair of the information services board, or his or her designee; the~~
35 ~~director of the department of information services or his or her~~
36 ~~designee~~) and one citizen member.

1 The citizen member shall be appointed to a four-year term by the
2 governor with the consent of the senate. (~~The governor shall appoint~~
3 ~~the citizen member of the K-20 board by July 30, 1999.~~)

4 (b) Nonvoting members shall include one community or technical
5 college president, appointed by the state board for technical and
6 community colleges; one president of a public baccalaureate
7 institution, appointed by the council of presidents; the state
8 librarian; one educational service district superintendent, one school
9 district superintendent, and one representative of an approved private
10 school, appointed by the superintendent of public instruction; and one
11 representative of independent baccalaureate institutions, appointed by
12 the Washington association of independent colleges and universities.

13 (2) (~~The director of the department of information services or his~~
14 ~~or her designee shall serve as chair of the K-20 board.~~) The chair
15 must be elected by majority vote from among the voting members. The
16 (~~department of information services~~) office of the superintendent of
17 public instruction shall provide staffing to the K-20 board. A
18 majority of the voting members of the K-20 board shall constitute a
19 quorum for the transaction of business.

20 (3) The citizen member of the K-20 board shall be compensated in
21 accordance with RCW 43.03.250.

22 NEW SECTION. Sec. 7. Any funds remaining in the data processing
23 revolving fund, the K-20 technology account, and the education
24 technology revolving fund on January 1, 2010, must be transferred to
25 the state general fund.

26 NEW SECTION. Sec. 8. This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and takes effect
29 July 1, 2009.

30 NEW SECTION. Sec. 9. Sections 2 through 7 of this act take effect
31 January 1, 2010.

32 NEW SECTION. Sec. 10. The following acts or parts of acts are
33 each repealed:

34 (1) RCW 43.105.005 (Purpose) and 1990 c 208 s 1 & 1987 c 504 s 1;

1 (2) RCW 43.105.017 (Legislative intent) and 1992 c 20 s 6, 1990 c
2 208 s 2, & 1987 c 504 s 2;

3 (3) RCW 43.105.020 (Definitions) and 2003 c 18 s 2;

4 (4) RCW 43.105.032 (Information services board--Members--
5 Chairperson--Vacancies--Quorum--Compensation and travel expenses) and
6 2007 c 158 s 1, 1999 c 241 s 2, 1996 c 137 s 10, 1992 c 20 s 8, 1987 c
7 504 s 4, 1984 c 287 s 86, 1975-'76 2nd ex.s. c 34 s 128, & 1973 1st
8 ex.s. c 219 s 5;

9 (5) RCW 43.105.041 (Powers and duties of board) and 2003 c 18 s 3
10 & 1999 c 285 s 5;

11 (6) RCW 43.105.047 (Department created--Appointment of director--
12 Director's duties) and 1999 c 80 s 5, 1992 c 20 s 9, & 1987 c 504 s 6;

13 (7) RCW 43.105.052 (Powers and duties of department) and 2000 c 180
14 s 1, 1999 c 80 s 6, 1993 c 281 s 53, 1992 c 20 s 10, 1990 c 208 s 7, &
15 1987 c 504 s 8;

16 (8) RCW 43.105.055 (Advisory committees--Customer advisory board)
17 and 1999 c 80 s 7 & 1987 c 504 s 9;

18 (9) RCW 43.105.057 (Rule-making authority) and 1992 c 20 s 11 &
19 1990 c 208 s 13;

20 (10) RCW 43.105.060 (Contracts by state and local agencies with
21 department) and 1987 c 504 s 10, 1973 1st ex.s. c 219 s 9, & 1967 ex.s.
22 c 115 s 6;

23 (11) RCW 43.105.070 (Confidential or privileged information) and
24 1969 ex.s. c 212 s 4;

25 (12) RCW 43.105.080 (Data processing revolving fund--Created--Use)
26 and 1999 c 80 s 8, 1992 c 235 s 6, 1987 c 504 s 11, 1983 c 3 s 116, &
27 1974 ex.s. c 129 s 1;

28 (13) RCW 43.105.095 (Management and oversight structure) and 1999
29 c 80 s 3;

30 (14) RCW 43.105.105 (Information technology decisions and plans)
31 and 1999 c 80 s 4;

32 (15) RCW 43.105.160 (Strategic information technology plan--
33 Biennial state performance report on information technology) and 2005
34 c 319 s 110, 1999 c 80 s 9, 1998 c 177 s 3, 1996 c 171 s 9, & 1992 c 20
35 s 1;

36 (16) RCW 43.105.170 (Information technology portfolios--Contents--
37 Performance reports) and 1999 c 80 s 10;

1 (17) RCW 43.105.180 (Budget request to be evaluated for information
2 technology projects) and 1999 c 80 s 11;
3 (18) RCW 43.105.190 (Major information technology projects
4 standards and policies--Project evaluation and reporting) and 2005 c
5 319 s 111, 1999 c 80 s 12, 1998 c 177 s 4, 1996 c 137 s 15, & 1992 c 20
6 s 4;
7 (19) RCW 43.105.200 (Application to institutions of higher
8 education) and 1992 c 20 s 5;
9 (20) RCW 43.105.210 (Data processing expenditures--Authorization--
10 Penalties) and 1993 sp.s. c 1 s 903;
11 (21) RCW 43.105.320 (Departmental authority as certification
12 authority for electronic authentication) and 1999 c 287 s 18 & 1997 c
13 27 s 29;
14 (22) RCW 43.105.330 (State interoperability executive committee)
15 and 2006 c 76 s 2 & 2003 c 18 s 4;
16 (23) RCW 43.105.810 (K-20 network technical steering committee) and
17 1999 c 285 s 6;
18 (24) RCW 43.105.815 (K-20 operations cooperative--Ongoing
19 management) and 1999 c 285 s 8;
20 (25) RCW 43.105.820 (K-20 telecommunication system--Technical plan)
21 and 1999 c 285 s 11 & 1996 c 137 s 8;
22 (26) RCW 43.105.825 (K-20 network--Oversight--Coordination of
23 telecommunications planning) and 2004 c 275 s 62 & 1999 c 285 s 7;
24 (27) RCW 43.105.830 (K-20 technology account) and 2004 c 276 s 909,
25 1999 c 285 s 9, 1997 c 180 s 2, & 1996 c 137 s 7;
26 (28) RCW 43.105.835 (Education technology revolving fund) and 2004
27 c 276 s 910, 1999 c 285 s 10, & 1997 c 180 s 1;
28 (29) RCW 43.105.900 (Severability--1973 1st ex.s. c 219) and 1973
29 1st ex.s. c 219 s 10;
30 (30) RCW 43.105.901 (Severability--1987 c 504) and 1987 c 504 s 25;
31 (31) RCW 43.105.902 (Effective date--1987 c 504) and 1987 c 504 s
32 26;
33 (32) RCW 43.105.903 (Effective date--1999 c 285) and 1999 c 285 s
34 14;
35 (33) RCW 43.105.904 (Actions of telecommunications oversight and
36 policy committee--Savings--1999 c 285) and 1999 c 285 s 4; and

1 (34) RCW 43.105.905 (Construction--2008 c 262) and 2008 c 262 s 4.

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