
ENGROSSED SUBSTITUTE HOUSE BILL 2385

State of Washington

55th Legislature

1998 Regular Session

By House Committee on Government Administration (originally sponsored by Representatives Radcliff, Wolfe, D. Schmidt and Scott)

Read first time 01/20/98. Referred to Committee on .

1 AN ACT Relating to the department of information services; amending
2 RCW 43.105.032 and 43.105.190; and reenacting and amending RCW
3 43.105.041.

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

5 **Sec. 1.** RCW 43.105.032 and 1996 c 137 s 10 are each amended to
6 read as follows:

7 (~~There is hereby created~~) The Washington state information
8 services board(~~(. The board shall be)~~) is created and composed of
9 (~~(thirteen)~~) fifteen members. Eight members shall be appointed by the
10 governor, one of whom shall be a representative of higher education,
11 one of whom shall be a representative of an agency under a state-wide
12 elected official other than the governor, and two of whom shall be
13 representatives of the private sector. One member shall represent the
14 judicial branch and be appointed by the chief justice of the supreme
15 court. One member shall be the superintendent of public instruction or
16 shall be appointed by the superintendent of public instruction. (~~One~~
17 ~~member shall represent the house of representatives and shall be~~
18 ~~selected by the speaker of the house of representatives; one member~~
19 ~~shall represent the senate and shall be appointed by the president of~~

1 ~~the senate. The representatives of the house of representatives and~~
2 ~~senate shall not be from the same political party.))~~ Four members, one
3 from each of the two largest caucuses of the house of representatives
4 and of the senate, appointed by the speaker of the house of
5 representatives and the president of the senate, respectively, shall
6 represent the legislature. One member shall be the director who shall
7 be a voting member of the board. These members shall constitute the
8 membership of the board with full voting rights. Members of the board
9 shall serve at the pleasure of the appointing authority. The board
10 shall select a chairperson from among its members.

11 Vacancies shall be filled in the same manner that the original
12 appointments were made.

13 A majority of the members of the board shall constitute a quorum
14 for the transaction of business.

15 Members of the board shall be compensated for service on the board
16 in accordance with RCW 43.03.240 and shall be reimbursed for travel
17 expenses as provided in RCW 43.03.050 and 43.03.060.

18 The board may not hold special meetings as authorized under RCW
19 42.30.080. The board may hold a meeting only if notice of the meeting
20 is given to members of the board, and public notice of the meeting is
21 given at least five days prior to the meeting.

22 **Sec. 2.** RCW 43.105.190 and 1996 c 137 s 15 are each amended to
23 read as follows:

24 (1) The department, with the approval of the board, shall establish
25 standards and policies governing the planning, implementation, and
26 evaluation of major information technology projects, including those
27 proposed by the superintendent of public instruction, in conjunction
28 with educational service districts, or state-wide or regional providers
29 of K-12 education information technology services. The standards and
30 policies shall:

31 (a) Establish criteria to identify projects which are subject to
32 this section. Such criteria shall include, but not be limited to,
33 significant anticipated cost, complexity, or state-wide significance of
34 the project; and

35 (b) Establish a model process and procedures which agencies shall
36 follow in developing and implementing project plans. Agencies may
37 propose, for approval by the department, a process and procedures
38 unique to the agency. The department may accept or require

1 modification of such agency proposals or the department may reject such
2 agency proposals and require use of the model process and procedures
3 established under this subsection. Any process and procedures
4 developed under this subsection shall require (i) distinct and
5 identifiable phases upon which funding may be based, (ii) user
6 validation of products through system demonstrations and testing of
7 prototypes and deliverables, and (iii) other elements identified by the
8 board.

9 Project plans and any agreements established under such plans shall
10 be approved and mutually agreed upon by the director, the director of
11 financial management, and the head of the agency proposing the project.

12 The director may terminate a major project if the director
13 determines that the project is not meeting or is not expected to meet
14 anticipated performance standards.

15 (2) The office of financial management shall establish policies and
16 standards governing the funding of projects developed under this
17 section. The policies and standards shall provide for:

18 (a) Funding of a project under terms and conditions mutually agreed
19 to by the director, the director of financial management, and the head
20 of the agency proposing the project. However, the office of financial
21 management may require incremental funding of a project on a phase-by-
22 phase basis whereby funds for a given phase of a project may be
23 released only when the office of financial management determines, with
24 the advice of the department, that the previous phase is satisfactorily
25 completed;

26 (b) Acceptance testing of products to assure that products perform
27 satisfactorily before they are accepted and final payment is made; and

28 (c) Other elements deemed necessary by the office of financial
29 management.

30 (3) The department shall evaluate projects at three stages of
31 development as follows: (a) Initial needs assessment; (b) feasibility
32 study including definition of scope, development of tasks and
33 timelines, and estimated costs and benefits; and (c) final project
34 implementation plan based upon available funding.

35 Copies of project evaluations conducted under this subsection shall
36 be submitted to the office of financial management ~~((and))~~, the chairs,
37 ranking minority members, and staff coordinators of the
38 ~~((appropriations))~~ fiscal committees of the senate and house of
39 representatives, and the policy committees of the senate and house of

1 representatives with responsibilities for issues relating to the agency
2 that undertakes the project.

3 (4) The director may terminate major information technology
4 projects. However, before a project is terminated, the director must
5 provide reasons in writing for the termination to a person in the
6 governor's office and to the chairs of the committees of the house of
7 representatives and senate with oversight over the agency subject to
8 the review and a copy of each notice, signed by the party to whom the
9 notice is addressed, must be filed with the official minutes of the
10 board. A signature on the notice shall only indicate the fact that the
11 person has received notice of the termination and shall not necessarily
12 signify agreement with the decision to terminate the project.

13 **Sec. 3.** RCW 43.105.041 and 1996 c 171 s 8 and 1996 c 137 s 12 are
14 each reenacted and amended to read as follows:

15 (1) The board shall have the following powers and duties related to
16 information services:

17 (a) To develop standards governing the acquisition and disposition
18 of equipment, proprietary software and purchased services, and
19 confidentiality of computerized data;

20 (b) To purchase, lease, rent, or otherwise acquire, dispose of, and
21 maintain equipment, proprietary software, and purchased services, or to
22 delegate to other agencies and institutions of state government, under
23 appropriate standards, the authority to purchase, lease, rent, or
24 otherwise acquire, dispose of, and maintain equipment, proprietary
25 software, and purchased services: PROVIDED, That, agencies and
26 institutions of state government are expressly prohibited from
27 acquiring or disposing of equipment, proprietary software, and
28 purchased services without such delegation of authority. The
29 acquisition and disposition of equipment, proprietary software, and
30 purchased services is exempt from RCW 43.19.1919 and, as provided in
31 RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200.
32 This subsection (1)(b) does not apply to the legislative branch;

33 (c) To develop state-wide or interagency technical policies,
34 standards, and procedures;

35 (d) To review and approve standards and common specifications for
36 new or expanded telecommunications networks proposed by agencies,
37 public postsecondary education institutions, educational service
38 districts, or state-wide or regional providers of K-12 information

1 technology services, and to assure the cost-effective development and
2 incremental implementation of a state-wide video telecommunications
3 system to serve: Public schools; educational service districts;
4 vocational-technical institutes; community colleges; colleges and
5 universities; state and local government; and the general public
6 through public affairs programming;

7 (e) To provide direction concerning strategic planning goals and
8 objectives for the state. The board shall seek input from the
9 legislature and the judiciary;

10 (f) To develop and implement a process for the resolution of
11 appeals by:

12 (i) Vendors concerning the conduct of an acquisition process by an
13 agency or the department; or

14 (ii) A customer agency concerning the provision of services by the
15 department or by other state agency providers;

16 (g) To establish policies for the periodic review by the department
17 of agency performance which may include but are not limited to analysis
18 of:

19 (i) Planning, management, control, and use of information services;

20 (ii) Training and education; and

21 (iii) Project management;

22 (h) To set its meeting schedules and convene at scheduled times, or
23 meet at the request of a majority of its members, the chair, or the
24 director; and

25 (i) To review and approve that portion of the department's budget
26 requests that provides for support to the board.

27 (2) State-wide technical standards to promote and facilitate
28 electronic information sharing and access are an essential component of
29 acceptable and reliable public access service and complement content-
30 related standards designed to meet those goals. The board shall:

31 (a) Establish technical standards to facilitate electronic access
32 to government information and interoperability of information systems.
33 Local governments are strongly encouraged to follow the standards
34 established by the board; and

35 (b) Require agencies to consider electronic public access needs
36 when planning new information systems or major upgrades of systems.

37 In developing these standards, the board is encouraged to include
38 the state library, state archives, and appropriate representatives of
39 state and local government.

1 (3) At least twice a year a report on the status of information
2 technology projects and initiatives in state government shall be sent
3 to the fiscal committees of the house of representatives and senate
4 with responsibilities for funding the review. A copy of any report
5 shall be forwarded to each policy committee of the house of
6 representatives and senate that oversees the responsibilities of the
7 agency reviewed in the report.

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