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HOUSE BILL 2601

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By Representatives Hunter, Anderson, Morris, Jarrett, Nixon, O'Brien, Hudgins, Tom, Kilmer and Wallace

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1 AN ACT Relating to information technology projects; and amending  
2 RCW 43.88A.020, 43.105.160, 43.105.041, and 43.105.825.

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

4 **Sec. 1.** RCW 43.88A.020 and 1994 c 219 s 3 are each amended to read  
5 as follows:

6 The office of financial management shall, in cooperation with  
7 appropriate legislative committees and legislative staff, establish a  
8 procedure for the provision of fiscal notes on the expected impact of  
9 bills and resolutions which increase or decrease or tend to increase or  
10 decrease state government revenues or expenditures. Such fiscal notes  
11 shall indicate by fiscal year the impact for the remainder of the  
12 biennium in which the bill or resolution will first take effect as well  
13 as a cumulative forecast of the fiscal impact for the succeeding four  
14 fiscal years. Fiscal notes shall separately identify the fiscal  
15 impacts on the operating and capital budgets. Estimates of fiscal  
16 impacts shall be calculated using the procedures contained in the  
17 fiscal note instructions issued by the office of financial management.  
18 Fiscal notes shall also identify the fiscal and operational impacts on  
19 the state information technology portfolio. To develop a process for

1 assessing the fiscal and operational impacts on the state information  
2 technology portfolio, the office of financial management shall consult  
3 with the information services board and the department of information  
4 services.

5 In establishing the fiscal impact called for pursuant to this  
6 chapter, the office of financial management shall coordinate the  
7 development of fiscal notes with all state agencies affected.

8 **Sec. 2.** RCW 43.105.160 and 2005 c 319 s 110 are each amended to  
9 read as follows:

10 (1)(a) The department, in consultation with the office of financial  
11 management and the information services board, shall prepare a ((state  
12 strategic information technology plan which)) six-year strategic plan  
13 for state information technology projects. The strategic plan shall  
14 establish a statewide mission, goals, and objectives for the use of  
15 information technology, including goals for electronic access to  
16 government records, information, and services. At a minimum, the  
17 strategic plan must contain the following: (i) A long-term plan for  
18 state investments in information technology projects, that identifies  
19 the highest priority needs for information technology projects within  
20 affordable spending levels; (ii) a statewide information technology  
21 assessment, that includes detailed project information and estimated  
22 costs for all ongoing information technology projects included in a  
23 state agency's information technology portfolio, under RCW 43.105.170;  
24 (iii) a detailed list of proposed information technology projects for  
25 the upcoming biennium and the two succeeding biennia; and (iv) a  
26 comprehensive review of the most recent biennial state performance  
27 report prepared under subsection (2) of this section. The plan shall  
28 be developed in accordance with the standards and policies established  
29 by the board and shall be submitted to the board for review,  
30 modification as necessary, and approval. The department shall seek the  
31 advice of the board in the development of this plan.

32 (b) The plan approved under this section shall be updated ((as  
33 necessary)) biennially and submitted to the governor and the chairs and  
34 ranking minority members of the appropriations committees of the senate  
35 and the house of representatives.

36 (2)(a) The department shall prepare a biennial state performance

1 report on information technology based on agency performance reports  
2 required under RCW 43.105.170 and other information deemed appropriate  
3 by the department. The report shall include, but not be limited to:

4 ~~((a))~~ (i) An analysis, based upon agency portfolios, of the  
5 state's information technology infrastructure, including its value,  
6 condition, and capacity;

7 ~~((b))~~ (ii) An evaluation of performance relating to information  
8 technology;

9 ~~((c))~~ (iii) An assessment of progress made toward implementing  
10 the state strategic information technology plan, including progress  
11 toward electronic access to public information and enabling citizens to  
12 have two-way access to public records, information, and services;

13 ~~((d))~~ (iv) An analysis of the success or failure, feasibility,  
14 progress, costs, and timeliness of implementation of major information  
15 technology projects under RCW 43.105.190;

16 ~~((e))~~ (v) Identification of benefits, cost avoidance, and cost  
17 savings generated by major information technology projects developed  
18 under RCW 43.105.190; and

19 ~~((f))~~ (vi) An inventory of state information services, equipment,  
20 and proprietary software.

21 (b) Copies of the report shall be distributed biennially to the  
22 governor and the chairs and ranking minority members of the  
23 appropriations committees of the senate and the house of  
24 representatives.

25 **Sec. 3.** RCW 43.105.041 and 2003 c 18 s 3 are each amended to read  
26 as follows:

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

29 (a) To develop standards and procedures governing the acquisition  
30 and disposition of equipment, proprietary software and purchased  
31 services, licensing of the radio spectrum by or on behalf of state  
32 agencies, and confidentiality of computerized data;

33 (b) To purchase, lease, rent, or otherwise acquire, dispose of, and  
34 maintain equipment, proprietary software, and purchased services, or to  
35 delegate to other agencies and institutions of state government, under  
36 appropriate standards, the authority to purchase, lease, rent, or  
37 otherwise acquire, dispose of, and maintain equipment, proprietary

1 software, and purchased services(~~(:—PROVIDED, That,)~~). However,  
2 agencies and institutions of state government are expressly prohibited  
3 from acquiring or disposing of equipment, proprietary software, and  
4 purchased services without such delegation of authority. The  
5 acquisition and disposition of equipment, proprietary software, and  
6 purchased services is exempt from RCW 43.19.1919 and, as provided in  
7 RCW 43.19.1901, from the provisions of RCW 43.19.190 through  
8 43.19.200(~~(. This subsection (1)(b) does not apply to the legislative~~  
9 ~~branch))~~);

10 (c) To develop statewide requirements for contracts for information  
11 technology projects;

12 (d) To develop statewide or interagency technical policies,  
13 standards, and procedures;

14 (~~(d)~~) (e) To review and approve standards and common  
15 specifications for new or expanded telecommunications networks proposed  
16 by agencies, public postsecondary education institutions, educational  
17 service districts, or statewide or regional providers of K-12  
18 information technology services, and to assure the cost-effective  
19 development and incremental implementation of a statewide video  
20 telecommunications system to serve: Public schools; educational  
21 service districts; vocational-technical institutes; community colleges;  
22 colleges and universities; state and local government; and the general  
23 public through public affairs programming;

24 (~~(e)~~) (f) To provide direction concerning strategic planning  
25 goals and objectives for the state. The board shall seek input from  
26 the legislature and the judiciary;

27 (~~(f)~~) (g) To develop and implement a process for the resolution  
28 of appeals by:

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

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

33 (~~(g)~~) (h) To establish policies for the periodic review by the  
34 department of agency performance which may include but are not limited  
35 to analysis of:

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

37 (ii) Training and education; and

38 (iii) Project management;

1       (~~(h)~~) (i) To set its meeting schedules and convene at scheduled  
2 times, or meet at the request of a majority of its members, the chair,  
3 or the director; and

4       (~~(i)~~) (j) To review and approve that portion of the department's  
5 budget requests that provides for support to the board.

6       (2)(a) Statewide technical standards to promote and facilitate  
7 electronic information sharing and access are an essential component of  
8 acceptable and reliable public access service and complement content-  
9 related standards designed to meet those goals. The board shall:

10       (~~(a)~~) (i) Establish technical standards to facilitate electronic  
11 access to government information and interoperability of information  
12 systems, including wireless communications systems. Local governments  
13 are strongly encouraged to follow the standards established by the  
14 board; and

15       (~~(b)~~) (ii) Require agencies to consider electronic public access  
16 needs when planning new information systems or major upgrades of  
17 systems.

18       (b) In developing these standards, the board is encouraged to  
19 include the state library, state archives, and appropriate  
20 representatives of state and local government.

21       (3)(a) The board, in consultation with the K-20 board, has the duty  
22 to govern, operate, and oversee the technical design, implementation,  
23 and operation of the K-20 network including, but not limited to, the  
24 following duties: Establishment and implementation of K-20 network  
25 technical policy, including technical standards and conditions of use;  
26 review and approval of network design; procurement of shared network  
27 services and equipment; and resolving user/provider disputes concerning  
28 technical matters. The board shall delegate general operational and  
29 technical oversight to the K-20 network technical steering committee as  
30 appropriate.

31       (b) The board has the authority to adopt rules under chapter 34.05  
32 RCW to implement the provisions regarding the technical operations and  
33 conditions of use of the K-20 network.

34       **Sec. 4.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to  
35 read as follows:

36       (1) In overseeing the technical aspects of the K-20 network, the  
37 information services board is not intended to duplicate the statutory

1 responsibilities of the higher education coordinating board, the  
2 superintendent of public instruction, the information services board,  
3 the state librarian, or the governing boards of the institutions of  
4 higher education.

5 (2) The board may not interfere in any curriculum or legally  
6 offered programming offered over the network.

7 (3) The responsibility to review and approve standards and common  
8 specifications for the network remains the responsibility of the  
9 information services board under RCW 43.105.041.

10 (4) The coordination of telecommunications planning for the common  
11 schools remains the responsibility of the superintendent of public  
12 instruction. Except as set forth in RCW 43.105.041(1)(~~(d)~~) (e), the  
13 board may recommend, but not require, revisions to the superintendent's  
14 telecommunications plans.

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