
SUBSTITUTE HOUSE BILL 1391

State of Washington

64th Legislature

2015 Regular Session

By House General Government & Information Technology (originally sponsored by Representatives Hudgins, MacEwen, Parker, Appleton, and Magendanz; by request of Office of Financial Management)

READ FIRST TIME 02/19/15.

1 AN ACT Relating to aligning functions of the consolidated
2 technology services agency, office of the chief information officer,
3 and department of enterprise services; amending RCW 43.41A.003,
4 43.105.020, 43.105.047, 43.105.052, 43.105.111, 43.105.178,
5 43.105.825, 41.07.020, 43.41A.025, 43.41A.010, 43.41A.027,
6 43.41A.030, 43.41A.035, 43.41A.040, 43.41A.045, 43.41A.050,
7 43.41A.055, 43.41A.060, 43.41A.065, 43.41A.070, 43.41A.075,
8 43.41A.080, 43.41A.130, 43.41A.140, 43.41A.150, 43.41A.152,
9 43.41A.085, 43.41A.095, 43.41A.105, 43.88.160, 2.36.054, 2.36.057,
10 2.36.0571, 2.68.060, 19.34.100, 36.28A.070, 41.06.094, 42.17A.705,
11 43.15.020, 43.19.794, 43.70.054, 43.88.090, 43.88.092, 44.68.065, and
12 70.58.005; adding new sections to chapter 43.105 RCW; adding new
13 sections to chapter 43.41 RCW; creating new sections; recodifying RCW
14 43.41A.003, 43.41A.010, 43.41A.025, 43.41A.027, 43.41A.030,
15 43.41A.035, 43.41A.040, 43.41A.045, 43.41A.050, 43.41A.055,
16 43.41A.060, 43.41A.065, 43.41A.070, 43.41A.075, 43.41A.080,
17 43.41A.110, 43.41A.115, 43.41A.130, 43.41A.135, 43.41A.140,
18 43.41A.150, 43.41A.152, 43.41A.900, 43.105.047, 43.41A.085,
19 43.41A.090, 43.41A.095, 43.41A.100, and 43.41A.105; decodifying RCW
20 43.41A.125; repealing RCW 43.41A.006, 43.41A.015, 43.41A.020,
21 43.41A.120, 43.105.041, 43.105.330, 43.105.340, and 43.19.791;
22 providing effective dates; and declaring an emergency.

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

2 **PART I**

3 **CONSOLIDATED TECHNOLOGY SERVICES AGENCY**

4 **Sec. 101.** RCW 43.41A.003 and 2011 1st sp.s. c 43 s 701 are each
5 amended to read as follows:

6 Information technology is a tool used by state agencies to
7 improve their ability to deliver public services efficiently and
8 effectively. Advances in information technology ~~((-))~~, including
9 advances in hardware, software, and business processes for
10 implementing and managing these resources ~~((-))~~, offer new
11 opportunities to improve the level of support provided to citizens
12 and state agencies and to reduce the per-transaction cost of these
13 services. These advances are one component in the process of
14 reengineering how government delivers services to citizens.

15 To fully realize the service improvements and cost efficiency
16 from the effective application of information technology to its
17 business processes, state government must establish decision-making
18 structures that connect business processes and information technology
19 in an operating model. Many of these business practices transcend
20 individual agency processes and should be worked at the enterprise
21 level. To do this requires an effective partnership of executive
22 management, business processes owners, and providers of support
23 functions necessary to efficiently and effectively deliver services
24 to citizens.

25 To maximize the potential for information technology to
26 contribute to government business process reengineering, the state
27 must establish clear central authority to plan, set enterprise
28 policies and standards, and provide project oversight and management
29 analysis of the various aspects of a business process.

30 Establishing ~~((the office of))~~ a state chief information officer
31 ~~((and partnering it with the director of financial management))~~ as
32 the director of the consolidated technology services agency will
33 provide state government with the cohesive structure necessary to
34 develop improved operating models with agency directors and
35 reengineer business process to enhance service delivery while
36 capturing savings.

1 To achieve maximum benefit from advances in information
2 technology, the state establishes a centralized provider and procurer
3 of certain information technology services as an agency to support
4 the needs of public agencies. This agency shall be known as the
5 consolidated technology services agency. To ensure maximum benefit to
6 the state, state agencies shall rely on the consolidated technology
7 services agency for those services with a business case of broad use,
8 uniformity, scalability, and price sensitivity to aggregation and
9 volume.

10 To successfully meet public agency needs and meet its obligation
11 as the primary service provider for these services, the consolidated
12 technology services agency must offer high quality services at the
13 best value. It must be able to attract an adaptable and competitive
14 workforce, be authorized to procure services where the business case
15 justifies it, and be accountable to its customers for the efficient
16 and effective delivery of critical business services.

17 The consolidated technology services agency is established with
18 clear accountability to the agencies it serves and to the public.
19 This accountability will come through enhanced transparency in the
20 agency's operation and performance. The agency is also established
21 with broad flexibility to adapt its operations and service catalog to
22 address the needs of customer agencies, and to do so in the most
23 cost-effective ways.

24 **Sec. 102.** RCW 43.105.020 and 2011 1st sp.s. c 43 s 802 are each
25 amended to read as follows:

26 The definitions in this section apply throughout this chapter
27 unless the context clearly requires otherwise.

28 (1) "Agency" means the consolidated technology services agency.

29 (2) "Board" means the technology services board.

30 (3) "Customer agencies" means all entities that purchase or use
31 information technology resources, telecommunications, or services
32 from the consolidated technology services agency.

33 ~~((3))~~ (4) "Director" means the state chief information officer,
34 who is the director of the consolidated technology services agency.

35 ~~((4))~~ (5) "Equipment" means the machines, devices, and
36 transmission facilities used in information processing, including but
37 not limited to computers, terminals, telephones, wireless
38 communications system facilities, cables, and any physical facility
39 necessary for the operation of such equipment.

1 ~~((+5))~~ (6) "Enterprise architecture" means an ongoing
2 ~~((program))~~ activity for translating business vision and strategy
3 into effective enterprise change. It is a continuous activity.
4 Enterprise architecture creates, communicates, and improves the key
5 principles and models that describe the enterprise's future state and
6 enable its evolution.

7 ~~((+6))~~ (7) "Information" includes, but is not limited to, data,
8 text, voice, and video.

9 (8) "Information technology" includes, but is not limited to, all
10 electronic technology systems and services, automated information
11 handling, system design and analysis, conversion of data, computer
12 programming, information storage and retrieval, telecommunications,
13 requisite system controls, simulation, electronic commerce, radio
14 technologies, and all related interactions between people and
15 machines.

16 ~~((+7))~~ (9) "Information technology portfolio" or "portfolio"
17 means a strategic management process documenting relationships
18 between agency missions and information technology and
19 telecommunications investments.

20 ~~((+8))~~ (10) "K-20 network" means the network established in RCW
21 43.41A.085 (as recodified by this act).

22 (11) "Local governments" includes all municipal and quasi-
23 municipal corporations and political subdivisions, and all agencies
24 of such corporations and subdivisions authorized to contract
25 separately.

26 ~~((+9))~~ (12) "Office" means the office of the state chief
27 information officer within the consolidated technology services
28 agency.

29 (13) "Oversight" means a process of comprehensive risk analysis
30 and management designed to ensure optimum use of information
31 technology resources and telecommunications.

32 ~~((+10))~~ (14) "Proprietary software" means that software offered
33 for sale or license.

34 ~~((+11))~~ (15) "Public agency" means any agency of this state or
35 another state; any political subdivision or unit of local government
36 of this state or another state including, but not limited to,
37 municipal corporations, quasi-municipal corporations, special purpose
38 districts, and local service districts; any public benefit nonprofit
39 corporation; any agency of the United States; and any Indian tribe
40 recognized as such by the federal government.

1 (16) "Public benefit nonprofit corporation" means a public
2 benefit nonprofit corporation as defined in RCW 24.03.005 that is
3 receiving local, state, or federal funds either directly or through a
4 public agency other than an Indian tribe or political subdivision of
5 another state.

6 (17) "Public record" has the definitions in RCW 42.56.010 and
7 chapter 40.14 RCW and includes legislative records and court records
8 that are available for public inspection.

9 (18) "State agency" means every state office, department,
10 division, bureau, board, commission, or other state agency, including
11 offices headed by a statewide elected official.

12 (19) "Telecommunications" includes, but is not limited to,
13 wireless or wired systems for transport of voice, video, and data
14 communications, network systems, requisite facilities, equipment,
15 system controls, simulation, electronic commerce, and all related
16 interactions between people and machines. (~~"Telecommunications" does~~
17 ~~not include public safety communications.~~)

18 (20) "Utility-based infrastructure services" includes personal
19 computer and portable device support, servers and server
20 administration, security administration, network administration,
21 telephony, email, and other information technology services commonly
22 used by state agencies.

23 **Sec. 103.** RCW 43.105.047 and 2011 1st sp.s. c 43 s 803 are each
24 amended to read as follows:

25 (1) There is created the consolidated technology services agency,
26 an agency of state government. The agency shall be headed by a
27 director, who is the state chief information officer. The director
28 shall be appointed by the governor with the consent of the senate.
29 The director shall serve at the governor's pleasure and shall receive
30 such salary as determined by the governor. If a vacancy occurs in the
31 position while the senate is not in session, the governor shall make
32 a temporary appointment until the next meeting of the senate at which
33 time he or she shall present to that body his or her nomination for
34 the position.

35 (2) The director shall:

36 ~~((1))~~ (a) Appoint a confidential secretary and such deputy and
37 assistant directors as needed to administer the agency; and

38 ~~((2))~~ (b) Appoint such professional, technical, and clerical
39 assistants and employees as may be necessary to perform the duties

1 imposed by this chapter in accordance with chapter 41.06 RCW, except
2 as otherwise provided by law.

3 (3) The director may create such administrative structures as he
4 or she deems appropriate and may delegate any power or duty vested in
5 him or her by this chapter or other law.

6 (4) The director shall exercise all the powers and perform all
7 the duties prescribed by law with respect to the administration of
8 this chapter including:

9 (a) Reporting to the governor any matters relating to abuses and
10 evasions of this chapter;

11 (b) Accepting and expending gifts and grants that are related to
12 the purposes of this chapter;

13 (c) Applying for grants from public and private entities, and
14 receiving and administering any grant funding received for the
15 purpose and intent of this chapter; and

16 (d) Performing other duties as are necessary and consistent with
17 law.

18 **Sec. 104.** RCW 43.105.052 and 2011 1st sp.s. c 43 s 804 are each
19 amended to read as follows:

20 The agency shall:

21 (1) Make available information services to public agencies and
22 public benefit nonprofit corporations(~~(. For the purposes of this~~
23 ~~section "public agency" means any agency of this state or another~~
24 ~~state; any political subdivision, or unit of local government of this~~
25 ~~state or another state including, but not limited to, municipal~~
26 ~~corporations, quasi-municipal corporations, special purpose~~
27 ~~districts, and local service districts; any agency of the United~~
28 ~~States; and any Indian tribe recognized as such by the federal~~
29 ~~government and "public benefit nonprofit corporation" means a public~~
30 ~~benefit nonprofit corporation as defined in RCW 24.03.005 that is~~
31 ~~receiving local, state, or federal funds either directly or through a~~
32 ~~public agency other than an Indian tribe or political subdivision of~~
33 ~~another state));~~

34 (2) Establish rates and fees for services provided by the
35 agency(~~(. A billing rate plan shall be developed for a two-year~~
36 ~~period to coincide with the budgeting process. The rate plan shall be~~
37 ~~subject to review at least annually by the office of financial~~
38 ~~management. The rate plan shall show the proposed rates by each cost~~
39 ~~center and will show the components of the rate structure as mutually~~

1 ~~determined by the agency and the office of financial management. The~~
2 ~~rate plan and any adjustments to rates shall be approved by the~~
3 ~~office of financial management));~~

4 ~~(3) ((With the advice of the board and customer agencies, develop~~
5 ~~a state strategic information technology plan and performance reports~~
6 ~~as required under RCW 43.41A.030;~~

7 ~~(4))~~ Develop a billing rate plan for a two-year period to
8 coincide with the budgeting process. The rate plan must be subject to
9 review at least annually by the office of financial management. The
10 rate plan must show the proposed rates by each cost center and show
11 the components of the rate structure as mutually determined by the
12 agency and the office of financial management. The rate plan and any
13 adjustments to rates must be approved by the office of financial
14 management;

15 (4) Develop a detailed business plan for any service or activity
16 to be contracted under RCW 41.06.142(7)(b);

17 (5) Develop plans for the agency's achievement of statewide goals
18 and objectives set forth in the state strategic information
19 technology plan required under RCW 43.41A.030 (as recodified by this
20 act);

21 (6) Enable the standardization and consolidation of information
22 technology infrastructure across all state agencies to support
23 enterprise-based system development and improve and maintain service
24 delivery; and

25 ~~((+5))~~ (7) Perform all other matters and things necessary to
26 carry out the purposes and provisions of this chapter.

27 **Sec. 105.** RCW 43.105.111 and 2011 1st sp.s. c 43 s 806 are each
28 amended to read as follows:

29 The director shall set performance targets and approve plans for
30 achieving measurable and specific goals for the agency. By January
31 ~~((2012))~~ 2017, the appropriate organizational performance and
32 accountability measures and performance targets shall be submitted to
33 the governor. These measures and targets shall include measures of
34 performance demonstrating specific and measurable improvements
35 related to service delivery and costs, operational efficiencies, and
36 overall customer satisfaction. The agency shall develop a dashboard
37 of key performance measures that will be updated quarterly and made
38 available on the agency public web site.

1 The director shall report to the governor on agency performance
2 at least quarterly. The reports shall be included on the agency's web
3 site and accessible to the public.

4 **Sec. 106.** RCW 43.105.178 and 2010 c 282 s 12 are each amended to
5 read as follows:

6 ~~((1))~~ The ~~((department))~~ agency, in collaboration with state
7 agencies, shall conduct an inventory from existing data sets of
8 information technology assets owned or leased by state agencies. This
9 inventory must be used to inform the development of a state
10 information technology asset management process. Prior to
11 implementation of any state information technology asset management
12 process, the ~~((department))~~ agency must submit its recommended
13 approach, including an estimate of the associated implementation
14 costs, to the board for approval.

15 ~~((2) For the purposes of this section, "state agency" includes
16 every state office, department, division, bureau, board, commission,
17 or other state agency, including offices headed by a statewide
18 elected official, and offices in the legislative and judicial
19 branches of state government, notwithstanding the provisions of RCW
20 44.68.105.))~~

21 **Sec. 107.** RCW 43.105.825 and 2012 c 229 s 588 are each amended
22 to read as follows:

23 (1) In overseeing the technical aspects of the K-20 network, the
24 ~~((information services))~~ board is not intended to duplicate the
25 statutory responsibilities of the student achievement council, the
26 superintendent of public instruction, the ~~((information services))~~
27 board, the state librarian, or the governing boards of the
28 institutions of higher education.

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

31 (3) The responsibility to review and approve standards and common
32 specifications for the network remains the responsibility of the
33 ~~((information services))~~ board ~~((under RCW 43.105.041)).~~

34 (4) The coordination of telecommunications planning for the
35 common schools remains the responsibility of the superintendent of
36 public instruction. ~~((Except as set forth in RCW 43.105.041(1)(d),))~~
37 The board may recommend, but not require, revisions to the
38 superintendent's telecommunications plans.

1 **Sec. 108.** RCW 41.07.020 and 2011 1st sp.s. c 43 s 441 are each
2 amended to read as follows:

3 The (~~department of enterprise services~~) consolidated technology
4 services agency is authorized to administer, maintain, and operate
5 the central personnel-payroll system and to provide its services for
6 any state agency designated jointly by the (~~director of the~~
7 ~~department of enterprise services~~) consolidated technology services
8 agency and the director of financial management.

9 (~~The system shall be operated through state data processing~~
10 ~~centers.~~) State agencies shall convert personnel and payroll
11 processing to the central personnel-payroll system as soon as
12 administratively and technically feasible as determined by the office
13 of financial management and the (~~department of enterprise services~~)
14 consolidated technology services agency. It is the intent of the
15 legislature to provide, through the central personnel-payroll system,
16 for uniform reporting to the office of financial management and to
17 the legislature regarding salaries and related costs, and to reduce
18 present costs of manual procedures in personnel and payroll
19 recordkeeping and reporting.

20 **Sec. 109.** RCW 43.41A.025 and 2013 2nd sp.s. c 33 s 1 are each
21 amended to read as follows:

22 (1) The (~~chief information officer~~) director shall establish
23 standards and policies to govern information technology in the state
24 of Washington.

25 (2) The office shall have the following powers and duties related
26 to information services:

27 (a) To develop statewide standards and policies governing the:
28 (i) Acquisition (~~and disposition~~) of equipment, software, and
29 (~~personal and purchased~~) technology-related services(~~(τ)~~);

30 (ii) Disposition of equipment;

31 (iii) Licensing of the radio spectrum by or on behalf of state
32 agencies(~~(τ)~~); and

33 (iv) Confidentiality of computerized data;

34 (b) To develop statewide (~~(ϵ)~~) and interagency technical
35 policies, standards, and procedures;

36 (c) To review and approve standards and common specifications for
37 new or expanded telecommunications networks proposed by agencies,
38 public postsecondary education institutions, educational service

1 districts, or statewide or regional providers of K-12 information
2 technology services;

3 ~~((To develop a detailed business plan for any service or
4 activity to be contracted under RCW 41.06.142(7)(b) by the
5 consolidated technology services agency;~~

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

10 ~~((f))~~ (e) To establish policies for the periodic review by the
11 ~~(office)~~ director of state agency performance which may include but
12 are not limited to analysis of:

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

15 (ii) Training and education; ~~((and))~~

16 (iii) Project management; and

17 (iv) Cybersecurity;

18 ~~((g))~~ (f) To coordinate with state agencies with an annual
19 information technology expenditure that exceeds ten million dollars
20 to implement a technology business management program to identify
21 opportunities for savings and efficiencies in information technology
22 expenditures and to monitor ongoing financial performance of
23 technology investments; and

24 ~~((h))~~ (g) In conjunction with the consolidated technology
25 services agency, to develop statewide standards for agency purchases
26 of technology networking equipment and services.

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

32 (a) Establish technical standards to facilitate electronic access
33 to government information and interoperability of information
34 systems, including wireless communications systems; and

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

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

1 health care applications, including the business and administrative
2 applications for such operations. However, institutions of higher
3 education must disclose to the office any proposed academic
4 applications that are enterprise-wide in nature relative to the needs
5 and interests of other institutions of higher education. Institutions
6 of higher education shall provide to the ~~((chief information
7 officer))~~ director sufficient data and information on proposed
8 expenditures on business and administrative applications to permit
9 the ~~((chief information officer))~~ director to evaluate the proposed
10 expenditures pursuant to RCW 43.88.092(3).

11 ~~((+5))~~ (4) The legislature and the judiciary, which are
12 constitutionally recognized as separate branches of government, are
13 strongly encouraged to coordinate with the office and participate in
14 shared services initiatives and the development of enterprise-based
15 strategies, where appropriate. Legislative and judicial agencies of
16 the state shall submit to the ~~((chief information officer))~~ director
17 information on proposed information technology expenditures to allow
18 the ~~((chief information officer))~~ director to evaluate the proposed
19 expenditures on an advisory basis.

20 **Sec. 202.** RCW 43.41A.027 and 2013 2nd sp.s. c 33 s 8 are each
21 amended to read as follows:

22 (1) The office shall establish security standards and policies to
23 ensure the confidentiality, availability, and integrity of the
24 information transacted, stored, or processed in the state's
25 information technology systems and infrastructure. The director shall
26 appoint a state chief information security officer. Each state
27 agency, institution of higher education, the legislature, and the
28 judiciary must develop an information technology security ~~((plan~~
29 ~~and))~~ program.

30 ~~((+1))~~ (2) Each state agency information technology security
31 ~~((plan and))~~ program must adhere to the office's security standards
32 and policies. Each state agency must review and update its ~~((plan~~
33 ~~and))~~ program annually and certify to the office that its ~~((plan~~
34 ~~and))~~ program is in compliance with the office's security standards
35 and policies. The office ~~((may))~~ shall require ~~((an))~~ a state agency
36 to obtain an independent compliance audit of its information
37 technology security ~~((plan and))~~ program and controls at least once
38 every three years to determine whether the state agency's information
39 technology security program is in compliance with the standards and

1 policies established by the agency and that security controls
2 identified by the state agency in its security program are operating
3 efficiently.

4 ~~((+2)) (3)~~ In the case of institutions of higher education, the
5 judiciary, and the legislature, each information technology security
6 ~~((plan and))~~ program must be comparable to the intended outcomes of
7 the office's security standards and policies. ~~((Each institution, the~~
8 ~~legislature, and the judiciary shall submit their information~~
9 ~~technology security plan and program to the office annually for~~
10 ~~review and comment.))~~

11 **Sec. 203.** RCW 43.41A.030 and 2011 1st sp.s. c 43 s 707 are each
12 amended to read as follows:

13 (1) The office shall prepare a state strategic information
14 technology plan which shall establish a statewide mission, goals, and
15 objectives for the use of information technology, including goals for
16 electronic access to government records, information, and services.
17 The plan shall be developed in accordance with the standards and
18 policies established by the office. The office shall seek the advice
19 of the board in the development of this plan.

20 The plan shall be updated as necessary and submitted to the
21 governor and the legislature.

22 (2) The office shall prepare a biennial state performance report
23 on information technology based on state agency performance reports
24 required under RCW 43.41A.045 (as recodified by this act) and other
25 information deemed appropriate by the office. The report shall
26 include, but not be limited to:

27 (a) An analysis, based upon agency portfolios, of the state's
28 information technology infrastructure, including its value,
29 condition, and capacity;

30 (b) An evaluation of performance relating to information
31 technology;

32 (c) An assessment of progress made toward implementing the state
33 strategic information technology plan, including progress toward
34 electronic access to public information and enabling citizens to have
35 two-way access to public records, information, and services; and

36 (d) An analysis of the success or failure, feasibility, progress,
37 costs, and timeliness of implementation of major information
38 technology projects under RCW 43.41A.055 (as recodified by this act).

1 At a minimum, the portion of the report regarding major technology
2 projects must include:

3 (i) The total cost data for the entire life-cycle of the project,
4 including capital and operational costs, broken down by staffing
5 costs, contracted service, hardware purchase or lease, software
6 purchase or lease, travel, and training. The original budget must
7 also be shown for comparison;

8 (ii) The original proposed project schedule and the final actual
9 project schedule;

10 (iii) Data regarding progress towards meeting the original goals
11 and performance measures of the project;

12 (iv) Discussion of lessons learned on the project, performance of
13 any contractors used, and reasons for project delays or cost
14 increases; and

15 (v) Identification of benefits generated by major information
16 technology projects developed under RCW 43.41A.055 (as recodified by
17 this act).

18 Copies of the report shall be distributed biennially to the
19 governor and the legislature. The major technology section of the
20 report must examine major information technology projects completed
21 in the previous biennium.

22 **Sec. 204.** RCW 43.41A.035 and 2011 1st sp.s. c 43 s 708 are each
23 amended to read as follows:

24 Management of information technology across state government
25 requires managing resources and business processes across multiple
26 agencies. It is no longer sufficient to pursue efficiencies within
27 agency or individual business process boundaries. The state must
28 manage the business process changes and information technology in
29 support of business processes as a statewide portfolio. The (~~chief~~
30 ~~information officer~~) director will use agency information technology
31 portfolio planning as input to develop a statewide portfolio to guide
32 resource allocation and prioritization decisions.

33 **Sec. 205.** RCW 43.41A.040 and 2011 1st sp.s. c 43 s 709 are each
34 amended to read as follows:

35 ((An)) A state agency information technology portfolio shall
36 serve as the basis for making information technology decisions and
37 plans which may include, but are not limited to:

38 (1) System refurbishment, acquisitions, and development efforts;

- 1 (2) Setting goals and objectives for using information
2 technology;
- 3 (3) Assessments of information processing performance, resources,
4 and capabilities;
- 5 (4) Ensuring the appropriate transfer of technological expertise
6 for the operation of new systems developed using external resources;
- 7 (5) Guiding new investment demand, prioritization, selection,
8 performance, and asset value of technology and telecommunications;
9 and
- 10 (6) Progress toward providing electronic access to public
11 information.

12 **Sec. 206.** RCW 43.41A.045 and 2011 1st sp.s. c 43 s 710 are each
13 amended to read as follows:

14 (1) Each state agency shall develop an information technology
15 portfolio consistent with RCW 43.41A.110 (as recodified by this act).
16 The superintendent of public instruction shall develop its portfolio
17 in conjunction with educational service districts and statewide or
18 regional providers of K-12 education information technology services.

19 ~~(2) ((Agency portfolios shall include, but not be limited to, the
20 following:~~

21 ~~(a) A baseline assessment of the agency's information technology
22 resources and capabilities that will serve as the benchmark for
23 subsequent planning and performance measures;~~

24 ~~(b) A statement of the agency's mission, goals, and objectives
25 for information technology, including goals and objectives for
26 achieving electronic access to agency records, information, and
27 services;~~

28 ~~(c) An explanation of how the agency's mission, goals, and
29 objectives for information technology support and conform to the
30 state strategic information technology plan developed under RCW
31 43.41A.030;~~

32 ~~(d) An implementation strategy to provide electronic access to
33 public records and information. This implementation strategy must be
34 assembled to include:~~

35 ~~(i) Compliance with Title 40 RCW;~~

36 ~~(ii) Adequate public notice and opportunity for comment;~~

37 ~~(iii) Consideration of a variety of electronic technologies,
38 including those that help transcend geographic locations, standard
39 business hours, economic conditions of users, and disabilities;~~

1 ~~(iv) Methods to educate both state employees and the public in~~
2 ~~the effective use of access technologies;~~

3 ~~(e) Projects and resources required to meet the objectives of the~~
4 ~~portfolio; and~~

5 ~~(f) Where feasible, estimated schedules and funding required to~~
6 ~~implement identified projects.~~

7 ~~(3) Portfolios developed under subsection (1) of this section~~
8 ~~shall be submitted to the office for review and approval. The chief~~
9 ~~information officer may reject, require modification to, or approve~~
10 ~~portfolios as deemed appropriate. Portfolios submitted under this~~
11 ~~subsection shall be updated and submitted for review and approval as~~
12 ~~necessary.~~

13 ~~(4) Each agency shall prepare and submit to the office a biennial~~
14 ~~performance report that evaluates progress toward the objectives~~
15 ~~articulated in its information technology portfolio and the strategic~~
16 ~~priorities of the state. The superintendent of public instruction~~
17 ~~shall develop its portfolio in conjunction with educational service~~
18 ~~districts and statewide or regional providers of K-12 education~~
19 ~~information technology services. The report shall include:~~

20 ~~(a) An evaluation of the agency's performance relating to~~
21 ~~information technology;~~

22 ~~(b) An assessment of progress made toward implementing the agency~~
23 ~~information technology portfolio;~~

24 ~~(c) Progress toward electronic access to public information and~~
25 ~~enabling citizens to have two way interaction for obtaining~~
26 ~~information and services from agencies; and~~

27 ~~(d) An inventory of agency information services, equipment, and~~
28 ~~proprietary software.~~

29 ~~(5) The office shall establish standards, elements, form, and~~
30 ~~format for plans and reports developed under this section.~~

31 ~~(6) Agency activities to increase electronic access to public~~
32 ~~records and information, as required by this section, must be~~
33 ~~implemented within available resources and existing agency planning~~
34 ~~processes.~~

35 ~~(7))~~ The ((office)) director may exempt any state agency from
36 any or all of the requirements of this section.

37 **Sec. 207.** RCW 43.41A.050 and 2011 1st sp.s. c 43 s 711 are each
38 amended to read as follows:

1 (1) Pursuant to RCW 43.88.092(3), at the request of the director
2 of financial management, the office shall evaluate both state agency
3 information technology current spending and technology budget
4 requests, including those proposed by the superintendent of public
5 instruction, in conjunction with educational service districts, or
6 statewide or regional providers of K-12 education information
7 technology services. The office shall submit recommendations for
8 funding all or part of such requests to the director of financial
9 management. The office shall also submit recommendations regarding
10 consolidation and coordination of similar proposals or other
11 efficiencies it finds in reviewing proposals.

12 (2) The office shall establish criteria, consistent with
13 portfolio-based information technology management, for the evaluation
14 of agency budget requests under this section. Technology budget
15 requests shall be evaluated in the context of the state's information
16 technology portfolio; technology initiatives underlying budget
17 requests are subject to review by the office. Criteria shall include,
18 but not be limited to: Feasibility of the proposed projects,
19 consistency with the state strategic information technology plan and
20 the state enterprise architecture, consistency with information
21 technology portfolios, appropriate provision for public electronic
22 access to information, evidence of business process streamlining and
23 gathering of business and technical requirements, services, duration
24 of investment, costs, and benefits.

25 **Sec. 208.** RCW 43.41A.055 and 2011 1st sp.s. c 43 s 712 are each
26 amended to read as follows:

27 (1) The office shall establish standards and policies governing
28 the planning, implementation, and evaluation of major information
29 technology projects, including those proposed by the superintendent
30 of public instruction, in conjunction with educational service
31 districts, or statewide or regional providers of K-12 education
32 information technology services. The standards and policies shall:

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

37 (b) Establish a model process and procedures which state agencies
38 shall follow in developing and implementing projects within their
39 information technology portfolios. This process may include project

1 oversight experts or panels, as appropriate. State agencies may
2 propose, for approval by the office, a process and procedures unique
3 to the agency. The office may accept or require modification of such
4 agency proposals or the office may reject (~~(such agency)~~) those
5 proposals and require use of the model process and procedures
6 established under this subsection. Any process and procedures
7 developed under this subsection shall require (i) distinct and
8 identifiable phases upon which funding may be based, (ii) user
9 validation of products through system demonstrations and testing of
10 prototypes and deliverables, and (iii) other elements identified by
11 the office.

12 The (~~(chief information officer)~~) director may suspend or
13 terminate a major project, and direct that the project funds be
14 placed into unallotted reserve status, if the (~~(chief information~~
15 ~~officer)~~) director determines that the project is not meeting or is
16 not expected to meet anticipated performance standards.

17 (2) The office of financial management shall establish policies
18 and standards consistent with portfolio-based information technology
19 management to govern the funding of projects developed under this
20 section. The policies and standards shall provide for:

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

30 (b) Other elements deemed necessary by the office of financial
31 management.

32 **Sec. 209.** RCW 43.41A.060 and 2011 1st sp.s. c 43 s 713 are each
33 amended to read as follows:

34 (1) Prior to making a commitment to purchase, acquire, or develop
35 a major information technology project or service, state agencies
36 must provide a proposal to the office outlining the business case of
37 the proposed product or service, including the up-front and ongoing
38 cost of the proposal.

1 (2) Within ((~~sixty~~)) thirty days of receipt of a proposal, the
2 office shall approve the proposal, reject it, or propose
3 modifications.

4 (3) In reviewing a proposal, the office must determine whether
5 the product or service is consistent with:

6 (a) The standards and policies developed by the ((~~office~~))
7 director pursuant to RCW 43.41A.025 (as recodified by this act); and

8 (b) The state's enterprise-based strategy.

9 (4) If a substantially similar product or service is offered by
10 the ((~~consolidated technology services~~)) agency ((~~established in RCW~~
11 ~~43.105.047~~)), the ((~~office~~)) director may require the state agency to
12 procure the product or service through the ((~~consolidated technology~~
13 ~~services~~)) agency, if doing so would benefit the state as an
14 enterprise.

15 (5) The office shall provide guidance to state agencies as to
16 what threshold of information technology spending constitutes a major
17 information technology product or service under this section.

18 **Sec. 210.** RCW 43.41A.065 and 2011 1st sp.s. c 43 s 714 are each
19 amended to read as follows:

20 (1) The office shall develop an enterprise-based strategy for
21 information technology in state government informed by portfolio
22 management planning and information technology expenditure
23 information collected from state agencies pursuant to RCW 43.88.092.

24 (2)(a) The office shall develop an ongoing enterprise
25 architecture program for translating business vision and strategy
26 into effective enterprise change. This program will create,
27 communicate, and improve the key principles and models that describe
28 the enterprise's future state and enable its evolution, in keeping
29 with the priorities of government and the information technology
30 strategic plan.

31 (b) The enterprise architecture program will facilitate business
32 process collaboration among agencies statewide; improving the
33 reliability, interoperability, and sustainability of the business
34 processes that state agencies use.

35 In developing an enterprise-based strategy for the state, the
36 office is encouraged to consider the following strategies as possible
37 opportunities for achieving greater efficiency:

1 (i) Developing evaluation criteria for deciding which common
2 enterprise-wide business processes should become managed as
3 enterprise services;

4 (ii) Developing a roadmap of priorities for creating enterprise
5 services;

6 (iii) Developing decision criteria for determining implementation
7 criteria for centralized or decentralized enterprise services;

8 (iv) Developing evaluation criteria for deciding which technology
9 investments to continue, hold, or drop; and

10 (v) Performing such other duties as may be (~~assigned by the~~
11 ~~office~~) needed to promote effective enterprise change.

12 (c) The (~~program~~) office will establish performance measurement
13 criteria for each of its initiatives; will measure the success of
14 those initiatives; and will assess its quarterly results with the
15 (~~chief information officer~~) director to determine whether to
16 continue, revise, or disband the initiative.

17 **Sec. 211.** RCW 43.41A.070 and 2011 1st sp.s. c 43 s 715 are each
18 amended to read as follows:

19 (1) The technology services board is created within the (~~office~~
20 ~~of the chief information officer~~) agency.

21 (~~(1)~~) (2) The board shall be composed of thirteen members. Six
22 members shall be appointed by the governor, three of whom shall be
23 representatives of state agencies or institutions, and three of whom
24 shall be representatives of the private sector. Of the state agency
25 representatives, at least one of the representatives must have direct
26 experience using the software projects overseen by the board or
27 reasonably expect to use the new software developed under the
28 oversight of the board. Two members shall represent the house of
29 representatives and shall be selected by the speaker of the house of
30 representatives with one representative chosen from each major caucus
31 of the house of representatives; two members shall represent the
32 senate and shall be appointed by the president of the senate with one
33 representative chosen from each major caucus of the senate. One
34 member shall be the (~~chief information officer~~) director who shall
35 be a voting member of the board and serve as chair. Two nonvoting
36 members with information technology expertise must be appointed by
37 the governor as follows:

1 (a) One member representing state agency bargaining units shall
2 be selected from a list of three names submitted by each of the
3 general government exclusive bargaining representatives; and

4 (b) One member representing local governments shall be selected
5 from a list of three names submitted by commonly recognized local
6 government organizations.

7 The governor may reject all recommendations and request new
8 recommendations.

9 ~~((+2))~~ (3) Of the initial members, three must be appointed for a
10 one-year term, three must be appointed for a two-year term, and four
11 must be appointed for a three-year term. Thereafter, members must be
12 appointed for three-year terms.

13 ~~((+3))~~ (4) Vacancies shall be filled in the same manner that the
14 original appointments were made for the remainder of the member's
15 term.

16 ~~((+4))~~ (5) Members of the board shall be reimbursed for travel
17 expenses as provided in RCW 43.03.050 and 43.03.060.

18 ~~((+5))~~ (6) The office shall provide staff support to the board.

19 **Sec. 212.** RCW 43.41A.075 and 2011 1st sp.s. c 43 s 716 are each
20 amended to read as follows:

21 The board shall have the following powers and duties related to
22 information services:

23 (1) To review and approve standards and ~~((procedures))~~ policies,
24 developed by the office ~~((of the chief information officer))~~,
25 governing the acquisition and disposition of equipment, proprietary
26 software, and purchased services, licensing of the radio spectrum by
27 or on behalf of state agencies, and confidentiality of computerized
28 data;

29 (2) To review and approve statewide or interagency technical
30 policies~~((,))~~ and standards~~((, and procedures))~~ developed by the
31 office ~~((of the chief information officer))~~;

32 (3) To review, approve, and provide oversight of major
33 information technology projects to ensure that no major information
34 technology project proposed by a state agency is approved or
35 authorized funding by the board without consideration of the
36 technical and financial business case for the project, including a
37 review of:

38 (a) The total cost of ownership across the life of the project;

1 (b) All major technical options and alternatives analyzed, and
2 reviewed, if necessary, by independent technical sources; and

3 (c) Whether the project is technically and financially
4 justifiable when compared against the state's enterprise-based
5 strategy, long-term technology trends, and existing or potential
6 partnerships with private providers or vendors;

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

17 (5) To develop a policy to determine whether a proposed project,
18 product, or service should undergo an independent technical and
19 financial analysis prior to submitting a request to the office of
20 financial management for the inclusion in any proposed operating,
21 capital, or transportation budget;

22 (6) To approve contracting for services and activities under RCW
23 41.06.142(7) for the (~~consolidated technology service~~) agency. To
24 approve any service or activity to be contracted under RCW
25 41.06.142(7)(b), the board must also review the proposed business
26 plan and recommendation submitted by the office;

27 (7) To consider, on an ongoing basis, ways to promote strategic
28 investments in enterprise-level information technology projects that
29 will result in service improvements and cost efficiency;

30 (8) To provide a forum to solicit external expertise and
31 perspective on developments in information technology, enterprise
32 architecture, standards, and policy development; and

33 (9) To provide a forum where ideas and issues related to
34 information technology plans, policies, and standards can be
35 reviewed.

36 **Sec. 213.** RCW 43.41A.080 and 2011 1st sp.s. c 43 s 717 are each
37 amended to read as follows:

38 (1) The (~~chief information officer~~) director shall appoint a
39 state interoperability executive committee, the membership of which

1 must include, but not be limited to, representatives of the military
2 department, the Washington state patrol, the department of
3 transportation, the office of the state chief information officer,
4 the department of natural resources, city and county governments,
5 state and local fire chiefs, police chiefs, and sheriffs, and state
6 and local emergency management directors. The chair and legislative
7 members of the board will serve as nonvoting ex officio members of
8 the committee. Voting membership may not exceed fifteen members.

9 (2) The (~~chief information officer~~) director shall appoint the
10 chair of the committee from among the voting members of the
11 committee.

12 (3) The state interoperability executive committee has the
13 following responsibilities:

14 (a) Develop policies and make recommendations to the office for
15 technical standards for state wireless radio communications systems,
16 including emergency communications systems. The standards must
17 address, among other things, the interoperability of systems, taking
18 into account both existing and future systems and technologies;

19 (b) Coordinate and manage on behalf of the office the licensing
20 and use of state-designated and state-licensed radio frequencies,
21 including the spectrum used for public safety and emergency
22 communications, and serve as the point of contact with the federal
23 communications commission and the first responders network authority
24 on matters relating to allocation, use, and licensing of radio
25 spectrum;

26 (c) Coordinate the purchasing of all state wireless radio
27 communications system equipment to ensure that:

28 (i) After the transition from a radio over internet protocol
29 network, any new trunked system shall be, at a minimum, project-25;

30 (ii) Any new system that requires advanced digital features shall
31 be, at a minimum, project-25; and

32 (iii) Any new system or equipment purchases shall be, at a
33 minimum, upgradable to project-25;

34 (d) Seek support, including possible federal or other funding,
35 for state-sponsored wireless communications systems;

36 (e) Develop recommendations for legislation that may be required
37 to promote interoperability of state wireless communications systems;

38 (f) Foster cooperation and coordination among public safety and
39 emergency response organizations;

1 (g) Work with wireless communications groups and associations to
2 ensure interoperability among all public safety and emergency
3 response wireless communications systems; and

4 (h) Perform such other duties as may be assigned by the
5 ((office)) director to promote interoperability of wireless
6 communications systems.

7 (4) The office shall provide administrative support to the
8 committee.

9 **Sec. 214.** RCW 43.41A.130 and 1996 c 171 s 12 are each amended to
10 read as follows:

11 Funding to meet the costs of providing access, including the
12 building of the necessary information systems, the digitizing of
13 information, developing the ability to mask nondisclosable
14 information, and maintenance and upgrade of information access
15 systems should come primarily from state and local appropriations,
16 federal dollars, grants, private funds, cooperative ventures among
17 governments, nonexclusive licensing, and public/private partnerships.
18 (~~Agencies should not offer customized electronic access services as
19 the primary way of responding to requests or as a primary source of
20 revenue. Fees for staff time to respond to requests, and other direct
21 costs may be included in costs of providing customized access.~~)

22 State agencies and local governments are encouraged to pool
23 resources and to form cooperative ventures to provide electronic
24 access to government records and information. State agencies are
25 encouraged to seek federal and private grants for projects that
26 provide increased efficiency and improve government delivery of
27 information and services.

28 **Sec. 215.** RCW 43.41A.140 and 2011 c 60 s 39 are each amended to
29 read as follows:

30 State agencies and local governments that collect and enter
31 information concerning individuals into electronic records and
32 information systems that will be widely accessible by the public
33 under RCW 42.56.010 shall ensure the accuracy of this information to
34 the extent possible. To the extent possible, information must be
35 collected directly from, and with the consent of, the individual who
36 is the subject of the data. State agencies shall establish procedures
37 for correcting inaccurate information, including establishing
38 mechanisms for individuals to review information about themselves and

1 recommend changes in information they believe to be inaccurate. The
2 inclusion of personal information in electronic public records that
3 is widely available to the public should include information on the
4 date when the database was created or most recently updated. If
5 personally identifiable information is included in electronic public
6 records that are made widely available to the public, state agencies
7 must follow retention and archival schedules in accordance with
8 chapter 40.14 RCW, retaining personally identifiable information only
9 as long as needed to carry out the purpose for which it was
10 collected. At least once every five years, each agency that collects
11 information must review the information collected and justify why it
12 is being collected and for what purpose.

13 **Sec. 216.** RCW 43.41A.150 and 2011 1st sp.s. c 43 s 735 are each
14 amended to read as follows:

15 (1) Except as provided by subsection (2) of this section, state
16 agencies shall locate all existing and new servers in the state data
17 center.

18 (2) State agencies with a service requirement that requires
19 servers to be located outside the state data center must receive a
20 waiver from the office. Waivers must be based upon written
21 justification from the requesting state agency citing specific
22 service or performance requirements for locating servers outside the
23 state's common platform.

24 (3) The office, in consultation with the office of financial
25 management, shall continue to develop the business plan and migration
26 schedule for moving all state agencies into the state data center.

27 (4) The legislature and the judiciary, which are constitutionally
28 recognized as separate branches of government, may enter into an
29 interagency agreement with the office to migrate its servers into the
30 state data center.

31 (5) This section does not apply to institutions of higher
32 education.

33 **Sec. 217.** RCW 43.41A.152 and 2011 1st sp.s. c 43 s 736 are each
34 amended to read as follows:

35 (1) The office shall conduct a needs assessment and develop a
36 migration strategy to ensure that, over time, all state agencies are
37 moving towards using the ~~((consolidated technology services))~~ agency
38 ~~((established in RCW 43.105.047))~~ as their central service provider

1 for all utility-based infrastructure services, including centralized
2 PC and infrastructure support. State agency-specific application
3 services shall remain managed within individual agencies.

4 (2) The office shall develop short-term and long-term objectives
5 as part of the migration strategy.

6 (3) ~~((For the purposes of this section, "utility-based
7 infrastructure services" includes personal computer and portable
8 device support, servers and server administration, security
9 administration, network administration, telephony, e-mail, and other
10 information technology services commonly utilized by state agencies.~~

11 ~~(4))~~) This section does not apply to institutions of higher
12 education.

13 NEW SECTION. Sec. 218. RCW 43.41A.003, 43.41A.010, 43.41A.025,
14 43.41A.027, 43.41A.030, 43.41A.035, 43.41A.040, 43.41A.045,
15 43.41A.050, 43.41A.055, 43.41A.060, 43.41A.065, 43.41A.070,
16 43.41A.075, 43.41A.080, 43.41A.110, 43.41A.115, 43.41A.130,
17 43.41A.135, 43.41A.140, 43.41A.150, 43.41A.152, 43.41A.900, and
18 43.105.047 are each recodified as sections in chapter 43.105 RCW.

19 NEW SECTION. Sec. 219. RCW 43.41A.085, 43.41A.090, 43.41A.095,
20 43.41A.100, and 43.41A.105 are each recodified as sections in chapter
21 43.41.

22 NEW SECTION. Sec. 220. RCW 43.41A.125 is decodified.

23 NEW SECTION. Sec. 221. The following acts or parts of acts are
24 each repealed:

25 (1) RCW 43.41A.006 (Definitions) and 2011 1st sp.s. c 43 s 705;

26 (2) RCW 43.41A.015 (Chief information officer—Executive head and
27 appointing authority) and 2011 1st sp.s. c 43 s 703;

28 (3) RCW 43.41A.020 (Chief information officer—Duties) and 2011
29 1st sp.s. c 43 s 704;

30 (4) RCW 43.41A.120 (Electronic access to public records—
31 Definitions) and 2011 c 60 s 38 & 1996 c 171 s 2;

32 (5) RCW 43.105.041 (Powers and duties of board) and 2011 c 358 s
33 6, 2010 1st sp.s. c 7 s 65, 2009 c 486 s 13, 2003 c 18 s 3, & 1999 c
34 285 s 5;

1 (6) RCW 43.105.330 (State interoperability executive committee)
2 and 2011 c 367 s 711, 2006 c 76 s 2, & 2003 c 18 s 4; and

3 (7) RCW 43.105.340 (Consumer protection web site) and 2011 1st
4 sp.s. c 21 s 12 & 2008 c 151 s 2.

5 **PART III**

6 **OFFICE OF FINANCIAL MANAGEMENT**

7 **Sec. 301.** RCW 43.41A.085 and 2011 1st sp.s. c 43 s 718 are each
8 amended to read as follows:

9 (1) The office has the duty to govern and oversee the technical
10 design, implementation, and operation of the K-20 network including,
11 but not limited to, the following duties: Establishment and
12 implementation of K-20 network technical policy, including technical
13 standards and conditions of use; review and approval of network
14 design; and resolving user/provider disputes.

15 (2) The office has the following powers and duties:

16 (a) In cooperation with the educational sectors and other
17 interested parties, to establish goals and measurable objectives for
18 the network;

19 (b) To ensure that the goals and measurable objectives of the
20 network are the basis for any decisions or recommendations regarding
21 the technical development and operation of the network;

22 (c) To adopt, modify, and implement policies to facilitate
23 network development, operation, and expansion. Such policies may
24 include but need not be limited to the following issues: Quality of
25 educational services; access to the network by recognized
26 organizations and accredited institutions that deliver educational
27 programming, including public libraries; prioritization of
28 programming within limited resources; prioritization of access to the
29 system and the sharing of technological advances; network security;
30 identification and evaluation of emerging technologies for delivery
31 of educational programs; future expansion or redirection of the
32 system; network fee structures; and costs for the development and
33 operation of the network;

34 (d) To prepare and submit to the governor and the legislature a
35 coordinated budget for network development, operation, and expansion.
36 The budget shall include the (~~chief information officer's~~) director
37 of the consolidated technology services agency's recommendations on
38 (i) any state funding requested for network transport and equipment,

1 distance education facilities and hardware or software specific to
2 the use of the network, and proposed new network end sites, (ii)
3 annual copayments to be charged to public educational sector
4 institutions and other public entities connected to the network, and
5 (iii) charges to nongovernmental entities connected to the network;

6 (e) To adopt and monitor the implementation of a methodology to
7 evaluate the effectiveness of the network in achieving the
8 educational goals and measurable objectives;

9 (f) To establish by rule acceptable use policies governing user
10 eligibility for participation in the K-20 network, acceptable uses of
11 network resources, and procedures for enforcement of such policies.
12 The office shall set forth appropriate procedures for enforcement of
13 acceptable use policies, that may include suspension of network
14 connections and removal of shared equipment for violations of network
15 conditions or policies. The office shall have sole responsibility for
16 the implementation of enforcement procedures relating to technical
17 conditions of use.

18 **Sec. 302.** RCW 43.41A.095 and 2011 1st sp.s. c 43 s 720 are each
19 amended to read as follows:

20 The office of the state chief information officer, in conjunction
21 with the K-20 network users, shall maintain a technical plan of the
22 K-20 telecommunications system and ongoing system enhancements. The
23 office shall ensure that the technical plan adheres to the goals and
24 objectives established under RCW 43.41A.025 (as recodified by this
25 act). The technical plan shall provide for:

26 (1) A telecommunications backbone connecting educational service
27 districts, the main campuses of public baccalaureate institutions,
28 the branch campuses of public research institutions, and the main
29 campuses of community colleges and technical colleges.

30 (2)(a) Connection to the K-20 network by entities that include,
31 but need not be limited to: School districts, public higher education
32 off-campus and extension centers, and branch campuses of community
33 colleges and technical colleges, as prioritized by the chief
34 information officer; (b) distance education facilities and components
35 for entities listed in this subsection and subsection (1) of this
36 section; and (c) connection for independent nonprofit institutions of
37 higher education, provided that:

38 (i) The office of the state chief information officer and each
39 independent nonprofit institution of higher education to be connected

1 agree in writing to terms and conditions of connectivity. The terms
2 and conditions shall ensure, among other things, that the provision
3 of K-20 services does not violate Article VIII, section 5 of the
4 state Constitution and that the institution shall adhere to K-20
5 network policies; and

6 (ii) The office of the state chief information officer determines
7 that inclusion of the independent nonprofit institutions of higher
8 education will not significantly affect the network's eligibility for
9 federal universal service fund discounts or subsidies.

10 (3) Subsequent phases may include, but need not be limited to,
11 connections to public libraries, state and local governments,
12 community resource centers, and the private sector.

13 **Sec. 303.** RCW 43.41A.105 and 2011 1st sp.s. c 43 s 722 are each
14 amended to read as follows:

15 (1) The education technology revolving fund is created in the
16 custody of the state treasurer. All receipts from billings under
17 subsection (2) of this section must be deposited in the revolving
18 fund. Only the (~~chief information officer~~) director or the (~~chief
19 information officer's~~) director's designee may authorize
20 expenditures from the fund. The revolving fund shall be used to pay
21 for K-20 network operations, transport, equipment, software,
22 supplies, and services, maintenance and depreciation of on-site data,
23 and shared infrastructure, and other costs incidental to the
24 development, operation, and administration of shared educational
25 information technology services, telecommunications, and systems. The
26 revolving fund shall not be used for the acquisition, maintenance, or
27 operations of local telecommunications infrastructure or the
28 maintenance or depreciation of on-premises video equipment specific
29 to a particular institution or group of institutions.

30 (2) The revolving fund and all disbursements from the revolving
31 fund are subject to the allotment procedure under chapter 43.88 RCW,
32 but an appropriation is not required for expenditures. The office
33 shall, subject to the review and approval of the office of financial
34 management, establish and implement a billing structure for network
35 services identified in subsection (1) of this section.

36 (3) The office shall charge those public entities connected to
37 the K-20 telecommunications system under RCW 43.41A.095 (as
38 recodified by this act) an annual copayment per unit of transport
39 connection as determined by the legislature after consideration of

1 the board's recommendations. This copayment shall be deposited into
2 the revolving fund to be used for the purposes in subsection (1) of
3 this section. It is the intent of the legislature to appropriate to
4 the revolving fund such moneys as necessary to cover the costs for
5 transport, maintenance, and depreciation of data equipment located at
6 the individual public institutions, maintenance and depreciation of
7 the K-20 network backbone, and services provided to the network under
8 RCW 43.41A.085 (as recodified by this act).

9 **Sec. 304.** RCW 43.88.160 and 2012 c 230 s 1 are each amended to
10 read as follows:

11 This section sets forth the major fiscal duties and
12 responsibilities of officers and agencies of the executive branch.
13 The regulations issued by the governor pursuant to this chapter shall
14 provide for a comprehensive, orderly basis for fiscal management and
15 control, including efficient accounting and reporting therefor, for
16 the executive branch of the state government and may include, in
17 addition, such requirements as will generally promote more efficient
18 public management in the state.

19 (1) Governor; director of financial management. The governor,
20 through the director of financial management, shall devise and
21 supervise a modern and complete accounting system for each agency to
22 the end that all revenues, expenditures, receipts, disbursements,
23 resources, and obligations of the state shall be properly and
24 systematically accounted for. The accounting system shall include the
25 development of accurate, timely records and reports of all financial
26 affairs of the state. The system shall also provide for central
27 accounts in the office of financial management at the level of detail
28 deemed necessary by the director to perform central financial
29 management. The director of financial management shall adopt and
30 periodically update an accounting procedures manual. Any agency
31 maintaining its own accounting and reporting system shall comply with
32 the updated accounting procedures manual and the rules of the
33 director adopted under this chapter. An agency may receive a waiver
34 from complying with this requirement if the waiver is approved by the
35 director. Waivers expire at the end of the fiscal biennium for which
36 they are granted. The director shall forward notice of waivers
37 granted to the appropriate legislative fiscal committees. The
38 director of financial management may require such financial,

1 statistical, and other reports as the director deems necessary from
2 all agencies covering any period.

3 (2) Except as provided in chapter 43.88C RCW, the director of
4 financial management is responsible for quarterly reporting of
5 primary operating budget drivers such as applicable workloads,
6 caseload estimates, and appropriate unit cost data. These reports
7 shall be transmitted to the legislative fiscal committees or by
8 electronic means to the legislative evaluation and accountability
9 program committee. Quarterly reports shall include actual monthly
10 data and the variance between actual and estimated data to date. The
11 reports shall also include estimates of these items for the remainder
12 of the budget period.

13 (3) The director of financial management shall report at least
14 annually to the appropriate legislative committees regarding the
15 status of all appropriated capital projects, including transportation
16 projects, showing significant cost overruns or underruns. If funds
17 are shifted from one project to another, the office of financial
18 management shall also reflect this in the annual variance report.
19 Once a project is complete, the report shall provide a final summary
20 showing estimated start and completion dates of each project phase
21 compared to actual dates, estimated costs of each project phase
22 compared to actual costs, and whether or not there are any
23 outstanding liabilities or unsettled claims at the time of
24 completion.

25 (4) In addition, the director of financial management, as agent
26 of the governor, shall:

27 (a) Develop and maintain a system of internal controls and
28 internal audits comprising methods and procedures to be adopted by
29 each agency that will safeguard its assets, check the accuracy and
30 reliability of its accounting data, promote operational efficiency,
31 and encourage adherence to prescribed managerial policies for
32 accounting and financial controls. The system developed by the
33 director shall include criteria for determining the scope and
34 comprehensiveness of internal controls required by classes of
35 agencies, depending on the level of resources at risk.

36 Each agency head or authorized designee shall be assigned the
37 responsibility and authority for establishing and maintaining
38 internal audits following the standards of internal auditing of the
39 institute of internal auditors;

1 (b) Make surveys and analyses of agencies with the object of
2 determining better methods and increased effectiveness in the use of
3 manpower and materials; and the director shall authorize expenditures
4 for employee training to the end that the state may benefit from
5 training facilities made available to state employees;

6 (c) Establish policies for allowing the contracting of child care
7 services;

8 (d) Report to the governor with regard to duplication of effort
9 or lack of coordination among agencies;

10 (e) Review any pay and classification plans, and changes
11 thereunder, developed by any agency for their fiscal impact:
12 PROVIDED, That none of the provisions of this subsection shall affect
13 merit systems of personnel management now existing or hereafter
14 established by statute relating to the fixing of qualifications
15 requirements for recruitment, appointment, or promotion of employees
16 of any agency. The director shall advise and confer with agencies
17 including appropriate standing committees of the legislature as may
18 be designated by the speaker of the house and the president of the
19 senate regarding the fiscal impact of such plans and may amend or
20 alter the plans, except that for the following agencies no amendment
21 or alteration of the plans may be made without the approval of the
22 agency concerned: Agencies headed by elective officials;

23 (f) Fix the number and classes of positions or authorized
24 employee years of employment for each agency and during the fiscal
25 period amend the determinations previously fixed by the director
26 except that the director shall not be empowered to fix the number or
27 the classes for the following: Agencies headed by elective officials;

28 (g) Adopt rules to effectuate provisions contained in (a) through
29 (f) of this subsection.

30 (5) The treasurer shall:

31 (a) Receive, keep, and disburse all public funds of the state not
32 expressly required by law to be received, kept, and disbursed by some
33 other persons: PROVIDED, That this subsection shall not apply to
34 those public funds of the institutions of higher learning which are
35 not subject to appropriation;

36 (b) Receive, disburse, or transfer public funds under the
37 treasurer's supervision or custody;

38 (c) Keep a correct and current account of all moneys received and
39 disbursed by the treasurer, classified by fund or account;

1 (d) Coordinate agencies' acceptance and use of credit cards and
2 other payment methods, if the agencies have received authorization
3 under RCW 43.41.180;

4 (e) Perform such other duties as may be required by law or by
5 regulations issued pursuant to this law.

6 It shall be unlawful for the treasurer to disburse public funds
7 in the treasury except upon forms or by alternative means duly
8 prescribed by the director of financial management. These forms or
9 alternative means shall provide for authentication and certification
10 by the agency head or the agency head's designee that the services
11 have been rendered or the materials have been furnished; or, in the
12 case of loans or grants, that the loans or grants are authorized by
13 law; or, in the case of payments for periodic maintenance services to
14 be performed on state owned equipment, that a written contract for
15 such periodic maintenance services is currently in effect; and the
16 treasurer shall not be liable under the treasurer's surety bond for
17 erroneous or improper payments so made. When services are lawfully
18 paid for in advance of full performance by any private individual or
19 business entity other than equipment maintenance providers or as
20 provided for by RCW 42.24.035, such individual or entity other than
21 central stores rendering such services shall make a cash deposit or
22 furnish surety bond coverage to the state as shall be fixed in an
23 amount by law, or if not fixed by law, then in such amounts as shall
24 be fixed by the director of the department of enterprise services but
25 in no case shall such required cash deposit or surety bond be less
26 than an amount which will fully indemnify the state against any and
27 all losses on account of breach of promise to fully perform such
28 services. No payments shall be made in advance for any equipment
29 maintenance services to be performed more than twelve months after
30 such payment except that institutions of higher education as defined
31 in RCW 28B.10.016 and the consolidated technology services agency
32 created in RCW 43.105.006 may make payments in advance for equipment
33 maintenance services to be performed up to sixty months after such
34 payment. Any such bond so furnished shall be conditioned that the
35 person, firm or corporation receiving the advance payment will apply
36 it toward performance of the contract. The responsibility for
37 recovery of erroneous or improper payments made under this section
38 shall lie with the agency head or the agency head's designee in
39 accordance with rules issued pursuant to this chapter. Nothing in
40 this section shall be construed to permit a public body to advance

1 funds to a private service provider pursuant to a grant or loan
2 before services have been rendered or material furnished.

3 (6) The state auditor shall:

4 (a) Report to the legislature the results of current post audits
5 that have been made of the financial transactions of each agency; to
6 this end the auditor may, in the auditor's discretion, examine the
7 books and accounts of any agency, official, or employee charged with
8 the receipt, custody, or safekeeping of public funds. Where feasible
9 in conducting examinations, the auditor shall utilize data and
10 findings from the internal control system prescribed by the office of
11 financial management. The current post audit of each agency may
12 include a section on recommendations to the legislature as provided
13 in (c) of this subsection.

14 (b) Give information to the legislature, whenever required, upon
15 any subject relating to the financial affairs of the state.

16 (c) Make the auditor's official report on or before the thirty-
17 first of December which precedes the meeting of the legislature. The
18 report shall be for the last complete fiscal period and shall include
19 determinations as to whether agencies, in making expenditures,
20 complied with the laws of this state. The state auditor is authorized
21 to perform or participate in performance verifications and
22 performance audits as expressly authorized by the legislature in the
23 omnibus biennial appropriations acts or in the performance audit work
24 plan approved by the joint legislative audit and review committee.
25 The state auditor, upon completing an audit for legal and financial
26 compliance under chapter 43.09 RCW or a performance verification, may
27 report to the joint legislative audit and review committee or other
28 appropriate committees of the legislature, in a manner prescribed by
29 the joint legislative audit and review committee, on facts relating
30 to the management or performance of governmental programs where such
31 facts are discovered incidental to the legal and financial audit or
32 performance verification. The auditor may make such a report to a
33 legislative committee only if the auditor has determined that the
34 agency has been given an opportunity and has failed to resolve the
35 management or performance issues raised by the auditor. If the
36 auditor makes a report to a legislative committee, the agency may
37 submit to the committee a response to the report. This subsection (6)
38 shall not be construed to authorize the auditor to allocate other
39 than de minimis resources to performance audits except as expressly
40 authorized in the appropriations acts or in the performance audit

1 work plan. The results of a performance audit conducted by the state
2 auditor that has been requested by the joint legislative audit and
3 review committee must only be transmitted to the joint legislative
4 audit and review committee.

5 (d) Be empowered to take exception to specific expenditures that
6 have been incurred by any agency or to take exception to other
7 practices related in any way to the agency's financial transactions
8 and to cause such exceptions to be made a matter of public record,
9 including disclosure to the agency concerned and to the director of
10 financial management. It shall be the duty of the director of
11 financial management to cause corrective action to be taken within
12 six months, such action to include, as appropriate, the withholding
13 of funds as provided in RCW 43.88.110. The director of financial
14 management shall annually report by December 31st the status of audit
15 resolution to the appropriate committees of the legislature, the
16 state auditor, and the attorney general. The director of financial
17 management shall include in the audit resolution report actions taken
18 as a result of an audit including, but not limited to, types of
19 personnel actions, costs and types of litigation, and value of
20 recouped goods or services.

21 (e) Promptly report any irregularities to the attorney general.

22 (f) Investigate improper governmental activity under chapter
23 42.40 RCW.

24 In addition to the authority given to the state auditor in this
25 subsection (6), the state auditor is authorized to conduct
26 performance audits identified in RCW 43.09.470. Nothing in this
27 subsection (6) shall limit, impede, or restrict the state auditor
28 from conducting performance audits identified in RCW 43.09.470.

29 (7) The joint legislative audit and review committee may:

30 (a) Make post audits of the financial transactions of any agency
31 and management surveys and program reviews as provided for in chapter
32 44.28 RCW as well as performance audits and program evaluations. To
33 this end the joint committee may in its discretion examine the books,
34 accounts, and other records of any agency, official, or employee.

35 (b) Give information to the legislature or any legislative
36 committee whenever required upon any subject relating to the
37 performance and management of state agencies.

38 (c) Make a report to the legislature which shall include at least
39 the following:

1 (i) Determinations as to the extent to which agencies in making
2 expenditures have complied with the will of the legislature and in
3 this connection, may take exception to specific expenditures or
4 financial practices of any agencies; and

5 (ii) Such plans as it deems expedient for the support of the
6 state's credit, for lessening expenditures, for promoting frugality
7 and economy in agency affairs, and generally for an improved level of
8 fiscal management.

9 **PART IV**

10 **CORRECTION OF OBSOLETE REFERENCES**

11 **Sec. 401.** RCW 2.36.054 and 2011 1st sp.s. c 43 s 812 are each
12 amended to read as follows:

13 Unless otherwise specified by rule of the supreme court, the jury
14 source list and master jury list for each county shall be created as
15 provided by this section.

16 (1) The superior court of each county, after consultation with
17 the county clerk and county auditor of that jurisdiction, shall
18 annually notify the consolidated technology services agency not later
19 than March 1st of each year of its election to use either a jury
20 source list that is merged by the county or a jury source list that
21 is merged by the consolidated technology services agency. The
22 consolidated technology services agency shall annually furnish at no
23 charge to the superior court of each county a separate list of the
24 registered voters residing in that county as supplied annually by the
25 secretary of state and a separate list of driver's license and
26 identicard holders residing in that county as supplied annually by
27 the department of licensing, or a merged list of all such persons
28 residing in that county, in accordance with the annual notification
29 required by this subsection. The lists provided by the consolidated
30 technology services agency shall be in an electronic format mutually
31 agreed upon by the superior court requesting it and the (~~department~~
32 ~~of information services~~) consolidated technology services agency.
33 The annual merger of the list of registered voters residing in each
34 county with the list of licensed drivers and identicard holders
35 residing in each county to form a jury source list for each county
36 shall be in accordance with the standards and methodology established
37 in this chapter or by superseding court rule whether the merger is

1 accomplished by the consolidated technology services agency or by a
2 county.

3 (2) Persons on the lists of registered voters and driver's
4 license and identicard holders shall be identified by a minimum of
5 last name, first name, middle initial where available, date of birth,
6 gender, and county of residence. Identifying information shall be
7 used when merging the lists to ensure to the extent reasonably
8 possible that persons are only listed once on the merged list.
9 Conflicts in addresses are to be resolved by using the most recent
10 record by date of last vote in a general election, date of driver's
11 license or identicard address change or date of voter registration.

12 (3) The consolidated technology services agency shall provide
13 counties that elect to receive a jury source list merged by the
14 consolidated technology services agency with a list of names which
15 are possible duplicates that cannot be resolved based on the
16 identifying information required under subsection (2) of this
17 section. If a possible duplication cannot subsequently be resolved
18 satisfactorily through reasonable efforts by the county receiving the
19 merged list, the possible duplicate name shall be stricken from the
20 jury source list until the next annual jury source list is prepared.

21 **Sec. 402.** RCW 2.36.057 and 1993 c 408 s 1 are each amended to
22 read as follows:

23 The supreme court is requested to adopt court rules (~~to be~~
24 ~~effective by September 1, 1994,~~) regarding methodology and standards
25 for merging the list of registered voters in Washington state with
26 the list of licensed drivers and identicard holders in Washington
27 state for purposes of creating an expanded jury source list. The
28 rules should specify the standard electronic format or formats in
29 which the lists will be provided to requesting superior courts by the
30 (~~department of information services~~) consolidated technology
31 services agency. In the interim, and until such court rules become
32 effective, the methodology and standards provided in RCW 2.36.054
33 shall apply. An expanded jury source list shall be available to the
34 courts for use by September 1, 1994.

35 **Sec. 403.** RCW 2.36.0571 and 1993 c 408 s 2 are each amended to
36 read as follows:

37 (~~Not later than January 1, 1994,~~) The secretary of state, the
38 department of licensing, and the (~~department of information~~

1 ~~services))~~ consolidated technology services agency shall adopt
2 administrative rules as necessary to provide for the implementation
3 of the methodology and standards established pursuant to RCW 2.36.057
4 and 2.36.054 or by supreme court rule.

5 **Sec. 404.** RCW 2.68.060 and 2010 c 282 s 7 are each amended to
6 read as follows:

7 The administrative office of the courts, under the direction of
8 the judicial information system committee, shall:

9 (1) Develop a judicial information system information technology
10 portfolio consistent with the provisions of RCW ~~((43.105.172))~~
11 43.41A.110 (as recodified by this act);

12 (2) Participate in the development of an enterprise-based
13 statewide information technology strategy as defined in RCW
14 43.105.019;

15 (3) Ensure the judicial information system information technology
16 portfolio is organized and structured to clearly indicate
17 participation in and use of enterprise-wide information technology
18 strategies;

19 (4) As part of the biennial budget process, submit the judicial
20 information system information technology portfolio to the chair and
21 ranking member of the ways and means committees of the house of
22 representatives and the senate, the office of financial management,
23 and the ~~((department of information services))~~ consolidated
24 technology services agency.

25 **Sec. 405.** RCW 19.34.100 and 1999 c 287 s 5 are each amended to
26 read as follows:

27 (1) To obtain or retain a license, a certification authority
28 must:

29 (a) Provide proof of identity to the secretary;

30 (b) Employ only certified operative personnel in appropriate
31 positions;

32 (c) File with the secretary an appropriate, suitable guaranty,
33 unless the certification authority is a city or county that is self-
34 insured or the ~~((department of information services))~~ consolidated
35 technology services agency;

36 (d) Use a trustworthy system;

37 (e) Maintain an office in this state or have established a
38 registered agent for service of process in this state; and

1 (f) Comply with all further licensing and practice requirements
2 established by rule by the secretary.

3 (2) The secretary may by rule create license classifications
4 according to specified limitations, and the secretary may issue
5 licenses restricted according to the limits of each classification.

6 (3) The secretary may impose license restrictions specific to the
7 practices of an individual certification authority. The secretary
8 shall set forth in writing and maintain as part of the certification
9 authority's license application file the basis for such license
10 restrictions.

11 (4) The secretary may revoke or suspend a certification
12 authority's license, in accordance with the administrative procedure
13 act, chapter 34.05 RCW, for failure to comply with this chapter or
14 for failure to remain qualified under subsection (1) of this section.
15 The secretary may order the summary suspension of a license pending
16 proceedings for revocation or other action, which must be promptly
17 instituted and determined, if the secretary includes within a written
18 order a finding that the certification authority has either:

19 (a) Utilized its license in the commission of a violation of a
20 state or federal criminal statute or of chapter 19.86 RCW; or

21 (b) Engaged in conduct giving rise to a serious risk of loss to
22 public or private parties if the license is not immediately
23 suspended.

24 (5) The secretary may recognize by rule the licensing or
25 authorization of certification authorities by other governmental
26 entities, in whole or in part, provided that those licensing or
27 authorization requirements are substantially similar to those of this
28 state. If licensing by another government is so recognized:

29 (a) RCW 19.34.300 through 19.34.350 apply to certificates issued
30 by the certification authorities licensed or authorized by that
31 government in the same manner as it applies to licensed certification
32 authorities of this state; and

33 (b) The liability limits of RCW 19.34.280 apply to the
34 certification authorities licensed or authorized by that government
35 in the same manner as they apply to licensed certification
36 authorities of this state.

37 (6) A certification authority that has not obtained a license is
38 not subject to the provisions of this chapter, except as specifically
39 provided.

1 **Sec. 406.** RCW 36.28A.070 and 2003 c 102 s 3 are each amended to
2 read as follows:

3 (1) The Washington association of sheriffs and police chiefs in
4 consultation with the Washington state emergency management office,
5 the Washington association of county officials, the Washington
6 association of cities, the (~~information services board~~) director of
7 the consolidated technology services agency, the Washington state
8 fire chiefs' association, and the Washington state patrol shall
9 convene a committee to establish guidelines related to the statewide
10 first responder building mapping information system. The committee
11 shall have the following responsibilities:

12 (a) Develop the type of information to be included in the
13 statewide first responder building mapping information system. The
14 information shall include, but is not limited to: Floor plans, fire
15 protection information, evacuation plans, utility information, known
16 hazards, and text and digital images showing emergency personnel
17 contact information;

18 (b) Develop building mapping software standards that must be
19 utilized by all entities participating in the statewide first
20 responder building mapping information system;

21 (c) Determine the order in which buildings shall be mapped when
22 funding is received;

23 (d) Develop guidelines on how the information shall be made
24 available. These guidelines shall include detailed procedures and
25 security systems to ensure that the information is only made
26 available to the government entity that either owns the building or
27 is responding to an incident at the building;

28 (e) Recommend training guidelines regarding using the statewide
29 first responder building mapping information system to the criminal
30 justice training commission and the Washington state patrol fire
31 protection bureau.

32 (2)(a) Nothing in this section supersedes the authority of the
33 (~~information~~) consolidated technology services agency or the
34 technology services board under chapter 43.105 RCW.

35 (b) Nothing in this section supersedes the authority of state
36 agencies and local governments to control and maintain access to
37 information within their independent systems.

38 **Sec. 407.** RCW 41.06.094 and 1987 c 504 s 7 are each amended to
39 read as follows:

1 In addition to the exemptions under RCW 41.06.070, the provisions
2 of this chapter shall not apply in the (~~department of information~~
3 ~~services~~) consolidated technology services agency to up to twelve
4 positions in the planning component involved in policy development
5 and/or senior professionals.

6 **Sec. 408.** RCW 42.17A.705 and 2012 c 229 s 582 are each amended
7 to read as follows:

8 For the purposes of RCW 42.17A.700, "executive state officer"
9 includes:

10 (1) The chief administrative law judge, the director of
11 agriculture, the director of the department of services for the
12 blind, (~~the chief information officer of the office of chief~~
13 ~~information officer,~~) the director of the state system of community
14 and technical colleges, the director of commerce, the director of the
15 consolidated technology services agency, the secretary of
16 corrections, the director of early learning, the director of ecology,
17 the commissioner of employment security, the chair of the energy
18 facility site evaluation council, the director of enterprise
19 services, the secretary of the state finance committee, the director
20 of financial management, the director of fish and wildlife, the
21 executive secretary of the forest practices appeals board, the
22 director of the gambling commission, the secretary of health, the
23 administrator of the Washington state health care authority, the
24 executive secretary of the health care facilities authority, the
25 executive secretary of the higher education facilities authority, the
26 executive secretary of the horse racing commission, the human
27 resources director, the executive secretary of the human rights
28 commission, the executive secretary of the indeterminate sentence
29 review board, the executive director of the state investment board,
30 the director of labor and industries, the director of licensing, the
31 director of the lottery commission, the director of the office of
32 minority and women's business enterprises, the director of parks and
33 recreation, the executive director of the public disclosure
34 commission, the executive director of the Puget Sound partnership,
35 the director of the recreation and conservation office, the director
36 of retirement systems, the director of revenue, the secretary of
37 social and health services, the chief of the Washington state patrol,
38 the executive secretary of the board of tax appeals, the secretary of
39 transportation, the secretary of the utilities and transportation

1 commission, the director of veterans affairs, the president of each
2 of the regional and state universities and the president of The
3 Evergreen State College, and each district and each campus president
4 of each state community college;

5 (2) Each professional staff member of the office of the governor;

6 (3) Each professional staff member of the legislature; and

7 (4) Central Washington University board of trustees, the boards
8 of trustees of each community college and each technical college,
9 each member of the state board for community and technical colleges,
10 state convention and trade center board of directors, Eastern
11 Washington University board of trustees, Washington economic
12 development finance authority, Washington energy northwest executive
13 board, The Evergreen State College board of trustees, executive
14 ethics board, fish and wildlife commission, forest practices appeals
15 board, forest practices board, gambling commission, Washington health
16 care facilities authority, student achievement council, higher
17 education facilities authority, horse racing commission, state
18 housing finance commission, human rights commission, indeterminate
19 sentence review board, board of industrial insurance appeals, state
20 investment board, commission on judicial conduct, legislative ethics
21 board, life sciences discovery fund authority board of trustees,
22 liquor control board, lottery commission, Pacific Northwest electric
23 power and conservation planning council, parks and recreation
24 commission, Washington personnel resources board, board of pilotage
25 commissioners, pollution control hearings board, public disclosure
26 commission, public employees' benefits board, recreation and
27 conservation funding board, salmon recovery funding board, shorelines
28 hearings board, board of tax appeals, transportation commission,
29 University of Washington board of regents, utilities and
30 transportation commission, Washington State University board of
31 regents, and Western Washington University board of trustees.

32 **Sec. 409.** RCW 43.15.020 and 2011 c 158 s 12 are each amended to
33 read as follows:

34 The lieutenant governor serves as president of the senate and is
35 responsible for making appointments to, and serving on, the
36 committees and boards as set forth in this section.

37 (1) The lieutenant governor serves on the following boards and
38 committees:

39 (a) Capitol furnishings preservation committee, RCW 27.48.040;

1 (b) Washington higher education facilities authority, RCW
2 28B.07.030;

3 (c) Productivity board, also known as the employee involvement
4 and recognition board, RCW 41.60.015;

5 (d) State finance committee, RCW 43.33.010;

6 (e) State capitol committee, RCW 43.34.010;

7 (f) Washington health care facilities authority, RCW 70.37.030;

8 (g) State medal of merit nominating committee, RCW 1.40.020;

9 (h) Medal of valor committee, RCW 1.60.020; and

10 (i) Association of Washington generals, RCW 43.15.030.

11 (2) The lieutenant governor, and when serving as president of the
12 senate, appoints members to the following boards and committees:

13 (a) Civil legal aid oversight committee, RCW 2.53.010;

14 (b) Office of public defense advisory committee, RCW 2.70.030;

15 (c) Washington state gambling commission, RCW 9.46.040;

16 (d) Sentencing guidelines commission, RCW 9.94A.860;

17 (e) State building code council, RCW 19.27.070;

18 (f) Financial education public-private partnership, RCW
19 28A.300.450;

20 (g) Joint administrative rules review committee, RCW 34.05.610;

21 (h) Capital projects advisory review board, RCW 39.10.220;

22 (i) Select committee on pension policy, RCW 41.04.276;

23 (j) Legislative ethics board, RCW 42.52.310;

24 (k) Washington citizens' commission on salaries, RCW 43.03.305;

25 (l) Legislative oral history committee, RCW 44.04.325;

26 (m) State council on aging, RCW 43.20A.685;

27 (n) State investment board, RCW 43.33A.020;

28 (o) Capitol campus design advisory committee, RCW 43.34.080;

29 (p) Washington state arts commission, RCW 43.46.015;

30 (~~(q) ((Information services board, RCW 43.105.032;~~

31 ~~(r) Council for children and families, RCW 43.121.020;~~

32 ~~(s))~~ PNWER-Net working subgroup under chapter 43.147 RCW;

33 ~~((t))~~ (r) Community economic revitalization board, RCW
34 43.160.030;

35 ~~((u))~~ (s) Washington economic development finance authority,
36 RCW 43.163.020;

37 ~~((v))~~ (t) Life sciences discovery fund authority, RCW
38 43.350.020;

39 ~~((w))~~ (u) Legislative children's oversight committee, RCW
40 44.04.220;

1 ~~((x))~~ (v) Joint legislative audit and review committee, RCW
2 44.28.010;
3 ~~((y))~~ (w) Joint committee on energy supply and energy
4 conservation, RCW 44.39.015;
5 ~~((z))~~ (x) Legislative evaluation and accountability program
6 committee, RCW 44.48.010;
7 ~~((aa) Agency council on coordinated transportation, RCW~~
8 ~~47.06B.020;~~
9 ~~((bb))~~ (y) Washington horse racing commission, RCW 67.16.014;
10 ~~((ee))~~ (z) Correctional industries board of directors, RCW
11 72.09.080;
12 ~~((dd))~~ (aa) Joint committee on veterans' and military affairs,
13 RCW 73.04.150;
14 ~~((ee))~~ (bb) Joint legislative committee on water supply during
15 drought, RCW 90.86.020;
16 ~~((ff))~~ (cc) Statute law committee, RCW 1.08.001; and
17 ~~((gg))~~ (dd) Joint legislative oversight committee on trade
18 policy, RCW 44.55.020.

19 **Sec. 410.** RCW 43.19.794 and 2011 1st sp.s. c 43 s 602 are each
20 amended to read as follows:

21 The ~~((department of enterprise))~~ consolidated technology services
22 agency may become a licensed certification authority, under chapter
23 19.34 RCW, for the purpose of providing services to agencies, local
24 governments, and other entities and persons for purposes of official
25 state business. The department is not subject to RCW 19.34.100(1)(a).
26 The department shall only issue certificates, as defined in RCW
27 19.34.020, in which the subscriber is:

28 (1) The state of Washington or a department, office, or agency of
29 the state;

30 (2) A city, county, district, or other municipal corporation, or
31 a department, office, or agency of the city, county, district, or
32 municipal corporation;

33 (3) An agent or employee of an entity described by subsection (1)
34 or (2) of this section, for purposes of official public business;

35 (4) Any other person or entity engaged in matters of official
36 public business, however, such certificates shall be limited only to
37 matters of official public business. The department may issue
38 certificates to such persons or entities only if after issuing a
39 request for proposals from certification authorities licensed under

1 chapter 19.34 RCW and review of the submitted proposals, makes a
2 determination that such private services are not sufficient to meet
3 the department's published requirements. The department must set
4 forth in writing the basis of any such determination and provide
5 procedures for challenge of the determination as provided by the
6 state procurement requirements; or

7 (5) An applicant for a license as a certification authority for
8 the purpose of compliance with RCW 19.34.100(1)(a).

9 **Sec. 411.** RCW 43.70.054 and 1997 c 274 s 2 are each amended to
10 read as follows:

11 (1) To promote the public interest consistent with chapter 267,
12 Laws of 1995, the department of health, in cooperation with the
13 (~~information services board established under RCW 43.105.032~~)
14 director of the consolidated technology services agency established
15 in RCW 43.105.047, shall develop health care data standards to be
16 used by, and developed in collaboration with, consumers, purchasers,
17 health carriers, providers, and state government as consistent with
18 the intent of chapter 492, Laws of 1993 as amended by chapter 267,
19 Laws of 1995, to promote the delivery of quality health services that
20 improve health outcomes for state residents. The data standards shall
21 include content, coding, confidentiality, and transmission standards
22 for all health care data elements necessary to support the intent of
23 this section, and to improve administrative efficiency and reduce
24 cost. Purchasers, as allowed by federal law, health carriers, health
25 facilities and providers as defined in chapter 48.43 RCW, and state
26 government shall utilize the data standards. The information and data
27 elements shall be reported as the department of health directs by
28 rule in accordance with data standards developed under this section.

29 (2) The health care data collected, maintained, and studied by
30 the department under this section or any other entity: (a) Shall
31 include a method of associating all information on health care costs
32 and services with discrete cases; (b) shall not contain any means of
33 determining the personal identity of any enrollee, provider, or
34 facility; (c) shall only be available for retrieval in original or
35 processed form to public and private requesters; (d) shall be
36 available within a reasonable period of time after the date of
37 request; and (e) shall give strong consideration to data standards
38 that achieve national uniformity.

1 (3) The cost of retrieving data for state officials and agencies
2 shall be funded through state general appropriation. The cost of
3 retrieving data for individuals and organizations engaged in research
4 or private use of data or studies shall be funded by a fee schedule
5 developed by the department that reflects the direct cost of
6 retrieving the data or study in the requested form.

7 (4) All persons subject to this section shall comply with
8 departmental requirements established by rule in the acquisition of
9 data, however, the department shall adopt no rule or effect no policy
10 implementing the provisions of this section without an act of law.

11 (5) The department shall submit developed health care data
12 standards to the appropriate committees of the legislature by
13 December 31, 1995.

14 **Sec. 412.** RCW 43.88.090 and 2012 c 229 s 587 are each amended to
15 read as follows:

16 (1) For purposes of developing budget proposals to the
17 legislature, the governor shall have the power, and it shall be the
18 governor's duty, to require from proper agency officials such
19 detailed estimates and other information in such form and at such
20 times as the governor shall direct. The governor shall communicate
21 statewide priorities to agencies for use in developing biennial
22 budget recommendations for their agency and shall seek public
23 involvement and input on these priorities. The estimates for the
24 legislature and the judiciary shall be transmitted to the governor
25 and shall be included in the budget without revision. The estimates
26 for state pension contributions shall be based on the rates provided
27 in chapter 41.45 RCW. Copies of all such estimates shall be
28 transmitted to the standing committees on ways and means of the house
29 and senate at the same time as they are filed with the governor and
30 the office of financial management.

31 The estimates shall include statements or tables which indicate,
32 by agency, the state funds which are required for the receipt of
33 federal matching revenues. The estimates shall be revised as
34 necessary to reflect legislative enactments and adopted
35 appropriations and shall be included with the initial biennial
36 allotment submitted under RCW 43.88.110. The estimates must reflect
37 that the agency considered any alternatives to reduce costs or
38 improve service delivery identified in the findings of a performance
39 audit of the agency by the joint legislative audit and review

1 committee. Nothing in this subsection requires performance audit
2 findings to be published as part of the budget.

3 (2) Each state agency shall define its mission and establish
4 measurable goals for achieving desirable results for those who
5 receive its services and the taxpayers who pay for those services.
6 Each agency shall also develop clear strategies and timelines to
7 achieve its goals. This section does not require an agency to develop
8 a new mission or goals in place of identifiable missions or goals
9 that meet the intent of this section. The mission and goals of each
10 agency must conform to statutory direction and limitations.

11 (3) For the purpose of assessing activity performance, each state
12 agency shall establish quality and productivity objectives for each
13 major activity in its budget. The objectives must be consistent with
14 the missions and goals developed under this section. The objectives
15 must be expressed to the extent practicable in outcome-based,
16 objective, and measurable form unless an exception to adopt a
17 different standard is granted by the office of financial management
18 and approved by the legislative committee on performance review.
19 Objectives must specifically address the statutory purpose or intent
20 of the program or activity and focus on data that measure whether the
21 agency is achieving or making progress toward the purpose of the
22 activity and toward statewide priorities. The office of financial
23 management shall provide necessary professional and technical
24 assistance to assist state agencies in the development of strategic
25 plans that include the mission of the agency and its programs,
26 measurable goals, strategies, and performance measurement systems.

27 (4) Each state agency shall adopt procedures for and perform
28 continuous self-assessment of each activity, using the mission,
29 goals, objectives, and measurements required under subsections (2)
30 and (3) of this section. The assessment of the activity must also
31 include an evaluation of major information technology systems or
32 projects that may assist the agency in achieving or making progress
33 toward the activity purpose and statewide priorities. The evaluation
34 of proposed major information technology systems or projects shall be
35 in accordance with the standards and policies established by the
36 (~~information~~) technology services board. Agencies' progress toward
37 the mission, goals, objectives, and measurements required by
38 subsections (2) and (3) of this section is subject to review as set
39 forth in this subsection.

1 (a) The office of financial management shall regularly conduct
2 reviews of selected activities to analyze whether the objectives and
3 measurements submitted by agencies demonstrate progress toward
4 statewide results.

5 (b) The office of financial management shall consult with: (i)
6 The four-year institutions of higher education in those reviews that
7 involve four-year institutions of higher education; and (ii) the
8 state board for community and technical colleges in those reviews
9 that involve two-year institutions of higher education.

10 (c) The goal is for all major activities to receive at least one
11 review each year.

12 (d) The office of financial management shall consult with the
13 (~~information services board~~) consolidated technology services
14 agency when conducting reviews of major information technology
15 systems in use by state agencies. The goal is that reviews of these
16 information technology systems occur periodically.

17 (5) It is the policy of the legislature that each agency's budget
18 recommendations must be directly linked to the agency's stated
19 mission and program, quality, and productivity goals and objectives.
20 Consistent with this policy, agency budget proposals must include
21 integration of performance measures that allow objective
22 determination of an activity's success in achieving its goals. When a
23 review under subsection (4) of this section or other analysis
24 determines that the agency's objectives demonstrate that the agency
25 is making insufficient progress toward the goals of any particular
26 program or is otherwise underachieving or inefficient, the agency's
27 budget request shall contain proposals to remedy or improve the
28 selected programs. The office of financial management shall develop a
29 plan to merge the budget development process with agency performance
30 assessment procedures. The plan must include a schedule to integrate
31 agency strategic plans and performance measures into agency budget
32 requests and the governor's budget proposal over three fiscal
33 biennia. The plan must identify those agencies that will implement
34 the revised budget process in the 1997-1999 biennium, the 1999-2001
35 biennium, and the 2001-2003 biennium. In consultation with the
36 legislative fiscal committees, the office of financial management
37 shall recommend statutory and procedural modifications to the state's
38 budget, accounting, and reporting systems to facilitate the
39 performance assessment procedures and the merger of those procedures
40 with the state budget process. The plan and recommended statutory and

1 procedural modifications must be submitted to the legislative fiscal
2 committees by September 30, 1996.

3 (6) In reviewing agency budget requests in order to prepare the
4 governor's biennial budget request, the office of financial
5 management shall consider the extent to which the agency's activities
6 demonstrate progress toward the statewide budgeting priorities, along
7 with any specific review conducted under subsection (4) of this
8 section.

9 (7) In the year of the gubernatorial election, the governor shall
10 invite the governor-elect or the governor-elect's designee to attend
11 all hearings provided in RCW 43.88.100; and the governor shall
12 furnish the governor-elect or the governor-elect's designee with such
13 information as will enable the governor-elect or the governor-elect's
14 designee to gain an understanding of the state's budget requirements.
15 The governor-elect or the governor-elect's designee may ask such
16 questions during the hearings and require such information as the
17 governor-elect or the governor-elect's designee deems necessary and
18 may make recommendations in connection with any item of the budget
19 which, with the governor-elect's reasons therefor, shall be presented
20 to the legislature in writing with the budget document. Copies of all
21 such estimates and other required information shall also be submitted
22 to the standing committees on ways and means of the house and senate.

23 **Sec. 413.** RCW 43.88.092 and 2013 2nd sp.s. c 33 s 4 are each
24 amended to read as follows:

25 (1) As part of the biennial budget process, the office of
26 financial management shall collect from agencies, and agencies shall
27 provide, information to produce reports, summaries, and budget detail
28 sufficient to allow review, analysis, and documentation of all
29 current and proposed expenditures for information technology by state
30 agencies. Information technology budget detail must be included as
31 part of the budget submittal documentation required pursuant to RCW
32 43.88.030.

33 (2) The office of financial management must collect, and present
34 as part of the biennial budget documentation, information for all
35 existing information technology projects as defined by technology
36 services board policy. The office of financial management must work
37 with the office of the state chief information officer to maximize
38 the ability to draw this information from the information technology
39 portfolio management data collected by the consolidated technology

1 services agency. Connecting project information collected through the
2 portfolio management process with financial data developed under
3 subsection (1) of this section provides transparency regarding
4 expenditure data for existing technology projects.

5 (3) The (~~chief information officer~~) director of the
6 consolidated technology services agency shall evaluate proposed
7 information technology expenditures and establish priority ranking
8 categories of the proposals. No more than one-third of the proposed
9 expenditures shall be ranked in the highest priority category.

10 (4) The biennial budget documentation submitted by the office of
11 financial management pursuant to RCW 43.88.030 must include an
12 information technology plan and a technology budget for the state
13 identifying current baseline funding for information technology,
14 proposed and ongoing major information technology projects, and their
15 associated costs. This plan and technology budget must be presented
16 using a method similar to the capital budget, identifying project
17 costs through stages of the project and across fiscal periods and
18 biennia from project initiation to implementation. This information
19 must be submitted electronically, in a format to be determined by the
20 office of financial management and the legislative evaluation and
21 accountability program committee.

22 (5) The office of financial management shall also institute a
23 method of accounting for information technology-related expenditures,
24 including creating common definitions for what constitutes an
25 information technology investment.

26 (6) For the purposes of this section, "major information
27 technology projects" includes projects that have a significant
28 anticipated cost, complexity, or are of statewide significance, such
29 as enterprise-level solutions, enterprise resource planning, and
30 shared services initiatives.

31 **Sec. 414.** RCW 44.68.065 and 2010 c 282 s 8 are each amended to
32 read as follows:

33 The legislative service center, under the direction of the joint
34 legislative systems committee and the joint legislative systems
35 administrative committee, shall:

36 (1) Develop a legislative information technology portfolio
37 consistent with the provisions of RCW (~~43.105.172~~) 43.41A.110 (as
38 recodified by this act);

1 (2) Participate in the development of an enterprise-based
2 statewide information technology strategy as defined in RCW
3 43.105.019;

4 (3) Ensure the legislative information technology portfolio is
5 organized and structured to clearly indicate participation in and use
6 of enterprise-wide information technology strategies;

7 (4) As part of the biennial budget process, submit the
8 legislative information technology portfolio to the chair and ranking
9 member of the ways and means committees of the house of
10 representatives and the senate, the office of financial management,
11 and the (~~department of information services~~) consolidated
12 technology services agency.

13 **Sec. 415.** RCW 70.58.005 and 2009 c 231 s 1 are each amended to
14 read as follows:

15 The definitions in this section apply throughout this chapter
16 unless the context clearly requires otherwise.

17 (1) "Business days" means Monday through Friday except official
18 state holidays.

19 (2) "Department" means the department of health.

20 (3) "Electronic approval" or "electronically approve" means
21 approving the content of an electronically filed vital record through
22 the processes provided by the department. Electronic approval
23 processes shall be consistent with policies, standards, and
24 procedures developed by the (~~information services board under RCW~~
25 ~~43.105.041~~) director of the consolidated technology services agency.

26 (4) "Embalmer" means a person licensed as required in chapter
27 18.39 RCW and defined in RCW 18.39.010.

28 (5) "Funeral director" means a person licensed as required in
29 chapter 18.39 RCW and defined in RCW 18.39.010.

30 (6) "Vital records" means records of birth, death, fetal death,
31 marriage, dissolution, annulment, and legal separation, as maintained
32 under the supervision of the state registrar of vital statistics.

33 PART V

34 INFORMATION TECHNOLOGY ACCOUNTING REVISIONS

35 NEW SECTION. **Sec. 501.** A new section is added to chapter 43.105
36 RCW to read as follows:

1 (1) The consolidated technology services revolving account is
2 created in the custody of the state treasurer. All receipts from
3 agency fees and charges for services collected from public agencies
4 must be deposited into the account. The account must be used for the:

5 (a) Acquisition of equipment, software, supplies, and services;
6 and

7 (b) Payment of salaries, wages, and other costs incidental to the
8 acquisition, development, maintenance, operation, and administration
9 of: (i) Information services; (ii) telecommunications; (iii) systems;
10 (iv) software; (v) supplies; and (vi) equipment, including the
11 payment of principal and interest on debt by the agency and other
12 users as determined by the office of financial management.

13 (2) The director or the director's designee, with the approval of
14 the technology services board, is authorized to expend up to one
15 million dollars per fiscal biennium for the technology services board
16 to conduct independent technical and financial analysis of proposed
17 information technology projects.

18 (3) Only the director or the director's designee may authorize
19 expenditures from the account. The account is subject to allotment
20 procedures under chapter 43.88 RCW, but no appropriation is required
21 for expenditures except as provided in subsection (4) of this
22 section.

23 (4) Expenditures for the strategic planning and policy component
24 of the agency are subject to appropriation.

25 NEW SECTION. **Sec. 502.** A new section is added to chapter 43.41
26 RCW to read as follows:

27 (1) The statewide information technology system development
28 revolving account is created in the custody of the state treasurer.
29 All receipts from legislative appropriations and assessments to
30 agencies for the development and acquisition of enterprise
31 information technology systems must be deposited into the account.
32 Moneys in the account may be spent only after appropriation. The
33 account must be used solely for the development and acquisition of
34 enterprise information technology systems that are consistent with
35 the enterprise-based strategy established by the consolidated
36 technology services agency in RCW 43.105.047. Expenditures from the
37 account may not be used for maintenance and operations of enterprise
38 information technology systems. The account may be used for the
39 payment of salaries, wages, and other costs directly related to the

1 development and acquisition of enterprise information technology
2 systems.

3 (2) All payment of principal and interest on debt issued for
4 enterprise information technology systems must be paid from the
5 account.

6 (3) The office may contract for the development or acquisition of
7 enterprise information technology systems.

8 (4) For the purposes of this section and section 503 of this act,
9 "enterprise information technology system" means an information
10 technology system that serves agencies with a certain business need
11 or process that are required to use the system unless the agency has
12 received a waiver from the state chief information
13 officer. "Enterprise information technology system" also includes
14 projects that are of statewide significance including enterprise-
15 level solutions, enterprise resource planning, and shared services
16 initiatives.

17 NEW SECTION. **Sec. 503.** A new section is added to chapter 43.41
18 RCW to read as follows:

19 (1) The statewide information technology system maintenance and
20 operations revolving account is created in the custody of the state
21 treasurer. All receipts from fees, charges for services, and
22 assessments to agencies for the maintenance and operations of
23 enterprise information technology systems must be deposited into the
24 account. The account must be used solely for the maintenance and
25 operations of enterprise information technology systems.

26 (2) Only the director or the director's designee may authorize
27 expenditures from the account. The account is subject to allotment
28 procedures under chapter 43.88 RCW, but no appropriation is required
29 for expenditure.

30 (3) The office may contract with the consolidated technology
31 services agency for the billing of fees, charges for services, and
32 assessments to agencies, and for the maintenance and operations of
33 enterprise information technology systems.

34 (4) "Enterprise information technology system" has the definition
35 in section 502 of this act.

36 NEW SECTION. **Sec. 504.** A new section is added to chapter 43.41
37 RCW to read as follows:

1 (1) The shared information technology system revolving account is
2 created in the custody of the state treasurer. All receipts from
3 fees, charges for services, and assessments to agencies for shared
4 information technology systems must be deposited into the account.

5 (2) Only the director or the director's designee may authorize
6 expenditures from the account. The account is subject to allotment
7 procedures under chapter 43.88 RCW, but no appropriation is required
8 for expenditure.

9 (3) The office may contract with the consolidated technology
10 services agency for the billing of fees, charges for services, and
11 assessments to agencies, and for the development, maintenance, and
12 operations of shared information technology systems.

13 (4) For the purposes of this section, "shared information
14 technology system" means an information technology system that is
15 available to, but not required for use by, agencies.

16 NEW SECTION. **Sec. 505.** The following acts or parts of acts, as
17 now existing or hereafter amended, are each repealed, effective
18 January 1, 2016:

19 RCW 43.19.791 (Data processing revolving fund—Created—Use) and
20 2013 2nd sp.s. c 4 s 976 & 2011 2nd sp.s. c 9 s 906.

21 NEW SECTION. **Sec. 506.** No later than December 31, 2015, any
22 residual balance of funds remaining in the data processing revolving
23 fund repealed by section 505 of this act shall be apportioned by the
24 director of financial management to the appropriate accounts created
25 in sections 501 through 504 of this act.

26 **PART VI**
27 **MISCELLANEOUS PROVISIONS**

28 NEW SECTION. **Sec. 601.** (1) All powers, duties, and functions of
29 the office of the chief information officer within the office of
30 financial management pertaining to the office of the chief
31 information officer are transferred to the consolidated technology
32 services agency.

33 (2)(a) All reports, documents, surveys, books, records, files,
34 papers, or written material in the possession of the office of the
35 chief information officer within the office of financial management
36 pertaining to the powers, duties, and functions transferred shall be

1 delivered to the custody of the consolidated technology services
2 agency. All cabinets, furniture, office equipment, motor vehicles,
3 and other tangible property employed by the office of the chief
4 information officer within the office of financial management in
5 carrying out the powers, duties, and functions transferred shall be
6 made available to the consolidated technology services agency. All
7 funds, credits, or other assets held in connection with the powers,
8 duties, and functions transferred shall be assigned to the
9 consolidated technology services agency.

10 (b) Any appropriations made to the office of the chief
11 information officer within the office of financial management for
12 carrying out the powers, duties, and functions transferred shall, on
13 the effective date of this section, be transferred and credited to
14 the consolidated technology services agency.

15 (c) Whenever any question arises as to the transfer of any
16 personnel, funds, books, documents, records, papers, files,
17 equipment, or other tangible property used or held in the exercise of
18 the powers and the performance of the duties and functions
19 transferred, the director of financial management shall make a
20 determination as to the proper allocation and certify the same to the
21 state agencies concerned.

22 (3) All rules and all pending business before the office of the
23 chief information officer within the office of financial management
24 pertaining to the powers, duties, and functions transferred shall be
25 continued and acted upon by the consolidated technology services
26 agency. All existing contracts and obligations shall remain in full
27 force and shall be performed by the consolidated technology services
28 agency.

29 (4) The transfer of the powers, duties, functions, and personnel
30 of the office of the chief information officer within the office of
31 financial management shall not affect the validity of any act
32 performed before the effective date of this section.

33 (5) If apportionments of budgeted funds are required because of
34 the transfers directed by this section, the director of financial
35 management shall certify the apportionments to the agencies affected,
36 the state auditor, and the state treasurer. Each of these shall make
37 the appropriate transfer and adjustments in funds and appropriation
38 accounts and equipment records in accordance with the certification.

39 (6) All exempt employees of the office of the chief information
40 officer within the office of financial management engaged in

1 performing the powers, duties, and functions transferred are
2 transferred to the jurisdiction of the consolidated technology
3 services agency. All employees classified under chapter 41.06 RCW,
4 the state civil service law, are assigned to the consolidated
5 technology services agency to perform their usual duties upon the
6 same terms as formerly, without any loss of rights, subject to any
7 action that may be appropriate thereafter in accordance with the laws
8 and rules governing state civil service.

9 NEW SECTION. **Sec. 602.** (1) All powers, duties, and functions of
10 the department of enterprise services pertaining to statewide
11 information technology services and applications are transferred to
12 the consolidated technology services agency.

13 (2)(a) All reports, documents, surveys, books, records, files,
14 papers, or written material in the possession of the department of
15 enterprise services pertaining to the powers, duties, and functions
16 transferred shall be delivered to the custody of the consolidated
17 technology services agency. All cabinets, furniture, office
18 equipment, motor vehicles, and other tangible property employed by
19 the department of enterprise services in carrying out the powers,
20 duties, and functions transferred shall be made available to the
21 consolidated technology services agency. All funds, credits, or other
22 assets held in connection with the powers, duties, and functions
23 transferred shall be assigned to the consolidated technology services
24 agency.

25 (b) Any appropriations made to the department of enterprise
26 services for carrying out the powers, duties, and functions
27 transferred shall, on the effective date of this section, be
28 transferred and credited to the consolidated technology services
29 agency.

30 (c) If any question arises as to the transfer of any personnel,
31 funds, books, documents, records, papers, files, equipment, or other
32 tangible property used or held in the exercise of the powers and the
33 performance of the duties and functions transferred, the director of
34 financial management shall make a determination as to the proper
35 allocation and certify the same to the state agencies concerned.

36 (3) All rules and all pending business before the department of
37 enterprise services pertaining to the powers, duties, and functions
38 transferred shall be continued and acted upon by the consolidated
39 technology services agency. All existing contracts and obligations

1 shall remain in full force and shall be performed by the consolidated
2 technology services agency.

3 (4) The transfer of the powers, duties, functions, and personnel
4 of the department of enterprise services shall not affect the
5 validity of any act performed before the effective date of this
6 section.

7 (5) If apportionments of budgeted funds are required because of
8 the transfers directed by this section, the director of financial
9 management shall certify the apportionments to the agencies affected,
10 the state auditor, and the state treasurer. Each of these shall make
11 the appropriate transfer and adjustments in funds and appropriation
12 accounts and equipment records in accordance with the certification.

13 (6) All employees of the department of enterprise services
14 engaged in performing the powers, duties, and functions transferred
15 are transferred to the jurisdiction of the consolidated technology
16 services agency. All employees classified under chapter 41.06 RCW,
17 the state civil service law, are assigned to the consolidated
18 technology services agency to perform their usual duties upon the
19 same terms as formerly, without any loss of rights, subject to any
20 action that may be appropriate thereafter in accordance with the laws
21 and rules governing state civil service.

22 (7) Positions in any bargaining unit within the consolidated
23 technology services agency existing on the effective date of this
24 section will remain within that bargaining unit unless and until
25 modified by the public employment relations commission pursuant to a
26 petition filed under chapter 391-35 WAC. No positions will be added
27 to any bargaining unit within the consolidated technology services
28 agency as a result of this section unless and until the parties have
29 fulfilled their bargaining obligation and the bargaining unit is
30 modified by the public employment relations commission pursuant to a
31 petition filed under chapter 391-35 WAC.

32 NEW SECTION. **Sec. 603.** This act is necessary for the immediate
33 preservation of the public peace, health, or safety, or support of
34 the state government and its existing public institutions, and takes
35 effect July 1, 2015.

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