
SUBSTITUTE HOUSE BILL 2385

State of Washington

55th Legislature

1998 Regular Session

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (b) Establish a model process and procedures which agencies shall
37 follow in developing and implementing project plans. Agencies may
38 propose, for approval by the department, a process and procedures

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

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

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

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

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

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

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

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

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

1 representatives, and the policy committees of the senate and house of
2 representatives with responsibilities for issues relating to the agency
3 that undertakes the project.

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

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

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

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

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

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

36 (d) 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 state-wide or regional providers of K-12 information
2 technology services, and to assure the cost-effective development and
3 incremental implementation of a state-wide video telecommunications
4 system to serve: Public schools; educational service districts;
5 vocational-technical institutes; community colleges; colleges and
6 universities; state and local government; and the general public
7 through public affairs programming;

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

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

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

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

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

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

21 (ii) Training and education; and

22 (iii) Project management;

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

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

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

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

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

1 In developing these standards, the board is encouraged to include
2 the state library, state archives, and appropriate representatives of
3 state and local government.

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

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