

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2814

52nd Legislature
1992 Regular Session

Passed by the House March 7, 1992
Yeas 96 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate March 5, 1992
Yeas 44 Nays 4

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 2814 as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2814

AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives H. Sommers, Silver, Anderson, Locke and Winsley; by request of Department of Information Services and Office of Financial Management)

Read first time 02/11/92.

1 AN ACT Relating to state information resources; amending RCW
2 43.105.017, 43.105.032, 43.105.047, 43.105.052, 43.105.057,
3 43.131.353, and 43.131.354; adding a new section to chapter 43.88 RCW;
4 adding new sections to chapter 43.105 RCW; creating a new section; and
5 declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** STATE STRATEGIC INFORMATION TECHNOLOGY PLAN
8 AND PERFORMANCE REPORT. (1) The department shall prepare a state
9 strategic information technology plan which shall establish a state-
10 wide mission, goals, and objectives for the use of information
11 technology. The plan shall be developed in accordance with the
12 standards and policies established by the board and shall be submitted
13 to the board for review, modification as necessary, and approval. The

1 department shall seek the advice of the board in the development of
2 this plan.

3 The plan approved under this section shall be updated as necessary
4 and submitted to the governor and the chairs and ranking minority
5 members of the appropriations committees of the senate and the house of
6 representatives.

7 (2) The department shall prepare a biennial state performance
8 report on information technology based on agency performance reports
9 required under section 2 of this act and other information deemed
10 appropriate by the department. The report shall include, but not be
11 limited to:

12 (a) An evaluation of performance relating to information
13 technology;

14 (b) An assessment of progress made toward implementing the state
15 strategic information technology plan;

16 (c) An analysis of the success or failure, feasibility, progress,
17 costs, and timeliness of implementation of major information technology
18 projects under section 4 of this act;

19 (d) Identification of benefits, cost avoidance, and cost savings
20 generated by major information technology projects developed under
21 section 4 of this act; and

22 (e) An inventory of state information services, equipment, and
23 proprietary software.

24 Copies of the report shall be distributed biennially to the
25 governor and the chairs and ranking minority members of the
26 appropriations committees of the senate and the house of
27 representatives.

28 NEW SECTION. **Sec. 2.** AGENCY STRATEGIC INFORMATION TECHNOLOGY PLAN
29 AND PERFORMANCE REPORT. (1) Each agency shall develop an agency

1 strategic information technology plan which establishes agency goals
2 and objectives regarding the development and use of information
3 technology. Plans shall include, but not be limited to, the following:

4 (a) A statement of the agency's mission, goals, and objectives for
5 information technology;

6 (b) An explanation of how the agency's mission, goals, and
7 objectives for information technology support and conform to the state
8 strategic information technology plan developed under section 1 of this
9 act;

10 (c) Projects and resources required to meet the objectives of the
11 plan; and

12 (d) Where feasible, estimated schedules and funding required to
13 implement identified projects.

14 (2) Plans developed under subsection (1) of this section shall be
15 submitted to the department for review and forwarded along with the
16 department's recommendations to the board for review and approval. The
17 board may reject, require modification to, or approve plans as deemed
18 appropriate by the board. Plans submitted under this subsection shall
19 be updated and submitted for review and approval as necessary.

20 (3) Each agency shall prepare and submit to the department a
21 biennial performance report. The report shall include:

22 (a) An evaluation of the agency's performance relating to
23 information technology;

24 (b) An assessment of progress made toward implementing the agency
25 strategic information technology plan; and

26 (c) An inventory of agency information services, equipment, and
27 proprietary software.

28 (4) The department, with the approval of the board, shall establish
29 standards, elements, form, and format for plans and reports developed
30 under this section.

1 (5) The board may exempt any agency from any or all of the
2 requirements of this section.

3 NEW SECTION. **Sec. 3.** REVIEW OF FUNDING REQUESTS FOR INFORMATION
4 TECHNOLOGY. Upon request of the office of financial management, the
5 department shall evaluate agency budget requests for major information
6 technology projects identified under section 4 of this act. The
7 department shall submit recommendations for funding all or part of such
8 requests to the office of financial management.

9 The department, with the advice and approval of the office of
10 financial management, shall establish criteria for the evaluation of
11 agency budget requests under this section. Criteria shall include, but
12 not be limited to: Feasibility of the proposed projects, consistency
13 with state and agency strategic information technology plans,
14 consistency with agency goals and objectives, costs, and benefits.

15 NEW SECTION. **Sec. 4.** PLANNING AND FUNDING OF MAJOR INFORMATION
16 TECHNOLOGY PROJECTS. (1) The department, with the approval of the
17 board, shall establish standards and policies governing the planning,
18 implementation, and evaluation of major information technology
19 projects. The standards and policies shall:

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

24 (b) Establish a model process and procedures which agencies shall
25 follow in developing and implementing project plans. Agencies may
26 propose, for approval by the department, a process and procedures
27 unique to the agency. The department may accept or require
28 modification of such agency proposals or the department may reject such

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

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

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

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

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

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

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

29 (3) The department shall evaluate projects at three stages of
30 development as follows: (a) Initial needs assessment; (b) feasibility

1 study including definition of scope, development of tasks and
2 timelines, and estimated costs and benefits; and (c) final project
3 implementation plan based upon available funding.

4 Copies of project evaluations conducted under this subsection shall
5 be submitted to the office of financial management and the chairs,
6 ranking minority members, and staff coordinators of the appropriations
7 committees of the senate and house of representatives.

8 NEW SECTION. **Sec. 5.** In the case of institutions of higher
9 education, the provisions of this act apply to business and
10 administrative applications but do not apply to academic and research
11 applications.

12 **Sec. 6.** RCW 43.105.017 and 1990 c 208 s 2 are each amended to read
13 as follows:

14 It is the intent of the legislature that:

15 (1) State government use voice, data, and video telecommunications
16 technologies to:

17 (a) Transmit and increase access to live, interactive classroom
18 instruction and training;

19 (b) Provide for interactive public affairs presentations, including
20 a public forum for state and local issues;

21 (c) Facilitate communications and exchange of information among
22 state and local elected officials and the general public;

23 (d) Enhance state-wide communications within state agencies; and

24 (e) Through the use of telecommunications, reduce time lost due to
25 travel to in-state meetings;

26 (2) Information be shared and administered in a coordinated manner,
27 except when prevented by agency responsibilities for security, privacy,
28 or confidentiality;

1 (3) The primary responsibility for the management and use of
2 information, information systems, telecommunications, equipment,
3 software, and services rests with each agency head;

4 (4) Resources be used in the most efficient manner and services be
5 shared when cost-effective;

6 (5) A structure be created to:

7 (a) Plan and manage telecommunications and computing networks;

8 (b) Increase agencies' awareness of information sharing
9 opportunities; and

10 (c) Assist agencies in implementing such possibilities;

11 (6) An acquisition process for equipment, proprietary software, and
12 related services be established that meets the needs of the users,
13 considers the exchange of information, and promotes fair and open
14 competition;

15 (7) To the greatest extent possible, major information technology
16 projects be implemented on an incremental basis;

17 (8) The state maximize opportunities to exchange and share data and
18 information by moving toward implementation of open system architecture
19 based upon interface standards providing for application and data
20 portability and interoperability;

21 (9) To the greatest extent possible, the state recognize any price
22 performance advantages which may be available in midrange and personal
23 computing architecture;

24 (10) The state improve recruitment, retention, and training of
25 professional staff;

26 ((+8)) (11) Plans, proposals, and acquisitions for information
27 services be reviewed from a financial and management perspective as
28 part of the budget process; and

29 ((+9)) (12) State government adopt policies and procedures that
30 maximize the use of existing video telecommunications resources,

1 coordinate and develop video telecommunications in a manner that is
2 cost-effective and encourages shared use, and ensure the appropriate
3 use of video telecommunications to fulfill identified needs.

4 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.88 RCW
5 to read as follows:

6 FUNDING MAJOR INFORMATION TECHNOLOGY PROJECTS. The director of
7 financial management shall establish policies and standards governing
8 the funding of major information technology projects as required under
9 section 4(2) of this act.

10 **Sec. 8.** RCW 43.105.032 and 1987 c 504 s 4 are each amended to read
11 as follows:

12 There is hereby created the Washington state information services
13 board. The board shall be composed of nine members. Seven members
14 shall be appointed by the governor, ~~((and serving at the governor's
15 pleasure as follows: Three representatives from cabinet agencies,))~~
16 one of which shall be a representative ((from)) of higher education,
17 one of which shall be a representative ((from a noncabinet executive))
18 of an agency under a state-wide elected official other than the
19 governor, and ((two representatives from)) one of which shall be a
20 representative of the private sector. One member shall represent the
21 judicial branch and be appointed by the chief justice of the supreme
22 court. One member shall represent the legislative branch and shall be
23 selected by the president of the senate and the speaker of the house of
24 representatives. These members shall constitute the membership of the
25 board with full voting rights. Members of the board shall serve at the
26 pleasure of the appointing authority. The director shall be an ex
27 officio, nonvoting member of the board. The board shall select a
28 chairperson from among its members.

1 Vacancies shall be filled in the same manner that the original
2 appointments were made.

3 A majority of the members of the board shall constitute a quorum
4 for the transaction of business.

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

8 **Sec. 9.** RCW 43.105.047 and 1987 c 504 s 6 are each amended to read
9 as follows:

10 There is created the department of information services. The
11 department shall be headed by a director appointed by the governor with
12 the consent of the senate. The director shall serve at the governor's
13 pleasure and shall receive such salary as determined by the governor.
14 The director shall:

15 (1) Appoint a confidential secretary and such deputy and assistant
16 directors as needed to administer the department. However, the total
17 number of deputy and assistant directors shall not exceed four;

18 (2) Maintain and fund a planning component separate from the
19 services component of the department;

20 (3) Appoint, after consulting with the board, the assistant
21 director for the planning component;

22 (4) Appoint such professional, technical, and clerical assistants
23 and employees as may be necessary to perform the duties imposed by this
24 chapter;

25 ~~((4))~~ (5) Report to the governor and the board any matters
26 relating to abuses and evasions of this chapter; and

27 ~~((5))~~ (6) Recommend statutory changes to the governor and the
28 board.

1 **Sec. 10.** RCW 43.105.052 and 1990 c 208 s 7 are each amended to
2 read as follows:

3 The department shall:

4 (1) Perform all duties and responsibilities the board delegates to
5 the department, including but not limited to:

6 (a) The review of agency acquisition plans and requests; and

7 (b) Implementation of state-wide and interagency policies,
8 standards, and guidelines;

9 (2) Make available information services to state agencies and local
10 governments on a full cost-recovery basis. These services may include,
11 but are not limited to:

12 (a) Telecommunications services for voice, data, and video;

13 (b) Mainframe computing services;

14 (c) Support for departmental and microcomputer evaluation,
15 installation, and use;

16 (d) Equipment acquisition assistance, including leasing, brokering,
17 and establishing master contracts;

18 (e) Facilities management services for information technology
19 equipment, equipment repair, and maintenance service;

20 (f) (~~Negotiate~~[~~Negotiation~~])) Negotiation with local cable
21 companies and local governments to provide for connection to local
22 cable services to allow for access to these public and educational
23 channels in the state;

24 (g) Office automation services;

25 (h) System development services; and

26 (i) Training.

27 These services are for discretionary use by customers and customers
28 may elect other alternatives for service if those alternatives are more
29 cost-effective or provide better service. Agencies may be required to

1 use the backbone network portions of the telecommunications services
2 during an initial start-up period not to exceed three years;

3 (3) Establish rates and fees for services provided by the
4 department to assure that the services component of the department is
5 self-supporting. A billing rate plan shall be developed for a two-year
6 period to coincide with the budgeting process. The rate plan shall be
7 subject to review at least annually by the customer oversight
8 committees. The rate plan shall show the proposed rates by each cost
9 center and will show the components of the rate structure as mutually
10 determined by the department and the customer oversight committees.
11 The same rate structure will apply to all user agencies of each cost
12 center. The rate plan and any adjustments to rates shall be approved
13 by the office of financial management. The services component shall
14 not subsidize the operations of the planning component;

15 (4) With the advice of the information services board and agencies,
16 develop ~~((and publish state wide goals and objectives at least~~
17 ~~biennially))~~ a state strategic information technology plan and
18 performance reports as required under section 1 of this act;

19 (5) Develop plans for the department's achievement of state-wide
20 goals and objectives set forth in the state strategic information
21 technology plan required under section 1 of this act. These plans
22 shall address such services as telecommunications, central and
23 distributed computing, local area networks, office automation, and end
24 user computing. The department shall seek the advice of customer
25 oversight committees and the board in the development of these plans;

26 (6) Under direction of the information services board and in
27 collaboration with the department of personnel, the higher education
28 personnel board, and other agencies as may be appropriate, develop
29 training plans and coordinate training programs that are responsive to
30 the needs of agencies;

- 1 (7) Identify opportunities for the effective use of information
2 services and coordinate appropriate responses to those opportunities;
- 3 (8) Assess agencies' projects, acquisitions, plans, or overall
4 information processing performance as requested by the board, agencies,
5 the director of financial management, or the legislature. Agencies may
6 be required to reimburse the department for agency-requested reviews;
- 7 (9) Develop planning, budgeting, and expenditure reporting
8 requirements, in conjunction with the office of financial management,
9 for agencies to follow;
- 10 (10) Assist the office of financial management with budgetary and
11 policy review of agency plans for information services;
- 12 (11) Provide staff support from the planning component to the board
13 for:
- 14 (a) Meeting preparation, notices, and minutes;
- 15 (b) Promulgation of policies, standards, and guidelines adopted by
16 the board;
- 17 (c) Supervision of studies and reports requested by the board;
- 18 (d) Conducting reviews and assessments as directed by the board;
- 19 (12) Be the lead agency in coordinating video telecommunications
20 services for all state agencies and develop, pursuant to board
21 policies, standards and common specifications for leased and purchased
22 telecommunications equipment. The department shall not evaluate the
23 merits of school curriculum, higher education course offerings, or
24 other education and training programs proposed for transmission and/or
25 reception using video telecommunications resources. Nothing in this
26 section shall abrogate or abridge the legal responsibilities of
27 licensees of telecommunications facilities as licensed by the federal
28 communication commission on March 27, 1990; and
- 29 (13) Perform all other matters and things necessary to carry out
30 the purposes and provisions of this chapter.

1 **Sec. 11.** RCW 43.105.057 and 1990 c 208 s 13 are each amended to
2 read as follows:

3 The department of information services and the information services
4 board, respectively, shall adopt rules as necessary under chapter 34.05
5 RCW to implement the provisions of (~~RCW 43.105.005, 43.105.017,~~
6 ~~43.105.032, 43.105.041, 43.105.052, and section 5 of this act~~) this
7 chapter.

8 **Sec. 12.** RCW 43.131.353 and 1987 c 504 s 22 are each amended to
9 read as follows:

10 The information services board and the department of information
11 services and their powers and duties shall be terminated on June 30,
12 (~~1994~~) 1996, as provided in RCW 43.131.354.

13 **Sec. 13.** RCW 43.131.354 and 1987 c 504 s 24 are each amended to
14 read as follows:

15 (~~Chapter 43.105 RCW shall expire June 30, 1995.~~

16 ~~Section 7, chapter 504, Laws of 1987 and RCW 41.06.094, as now or~~
17 ~~hereafter amended, are each repealed, effective June 30, 1995.)~~)

18 The following acts or parts of acts, as now existing or hereafter
19 amended, are each repealed, effective June 30, 1997:

20 (1) RCW 41.06.094 and 1987 c 504 s 7;

21 (2) RCW 43.88.-- and 1992 c -- s 7 (section 7 of this act);

22 (3) RCW 43.105.005 and 1990 c 208 s 1 & 1987 c 504 s 1;

23 (4) RCW 43.105.017 and 1992 c -- s 6, 1990 c 208 s 2, & 1987 c 504
24 s 2 (section 6 of this act);

25 (5) RCW 43.105.020 and 1990 c 208 s 3, 1987 c 504 s 3, 1973 1st
26 ex.s. c 219 s 3, & 1967 ex.s. c 115 s 2;

1 (6) RCW 43.105.032 and 1992 c -- s 8, 1987 c 504 s 4, 1984 c 287 s
2 86, 1975-'76 2nd ex.s. c 34 s 128, & 1973 1st ex.s. c 219 s 5 (section
3 8 of this act);

4 (7) RCW 43.105.041 and 1990 c 208 s 6, 1987 c 504 s 5, 1983 c 3 s
5 115, & 1973 1st ex.s. c 219 s 6;

6 (8) RCW 43.105.047 and 1992 c -- s 9 & 1987 c 504 s 6 (section 9 of
7 this act);

8 (9) RCW 43.105.052 and 1992 c -- s 10, 1990 c 208 s 7, & 1987 c 504
9 s 8 (section 10 of this act);

10 (10) RCW 43.105.055 and 1987 c 504 s 9;

11 (11) RCW 43.105.057 and 1992 c -- s 11 & 1990 c 208 s 13 (section
12 11 of this act);

13 (12) RCW 43.105.060 and 1987 c 504 s 10, 1973 1st ex.s. c 219 s 9,
14 & 1967 ex.s. c 115 s 6;

15 (13) RCW 43.105.070 and 1969 ex.s. c 212 s 4;

16 (14) RCW 43.105.080 and 1987 c 504 s 11, 1983 c 3 s 116, & 1974
17 ex.s. c 129 s 1;

18 (15) RCW 43.105.900 and 1973 1st ex.s. c 219 s 10;

19 (16) RCW 43.105.901 and 1987 c 504 s 25;

20 (17) RCW 43.105.902 and 1987 c 504 s 26;

21 (18) RCW 43.105.--- and 1992 c -- s 1 (section 1 of this act);

22 (19) RCW 43.105.--- and 1992 c -- s 2 (section 2 of this act);

23 (20) RCW 43.105.--- and 1992 c -- s 3 (section 3 of this act);

24 (21) RCW 43.105.--- and 1992 c -- s 4 (section 4 of this act); and

25 (22) RCW 43.105.--- and 1992 c -- s 5 (section 5 of this act).

26 NEW SECTION. Sec. 14. If any provision of this act or its
27 application to any person or circumstance is held invalid, the
28 remainder of the act or the application of the provision to other
29 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 15.** Sections 1 through 5 of this act are
2 each added to chapter 43.105 RCW.

3 NEW SECTION. **Sec. 16.** Captions used in this act do not
4 constitute any part of the law.

5 NEW SECTION. **Sec. 17.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and shall take
8 effect immediately.