

2 **ESHB 1965** - S COMM AMD  
3 By Committee on Energy & Utilities

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 43.105.032 and 1996 c 137 s 10 are each amended to  
8 read as follows:

9 There is hereby created the Washington state information services  
10 board. The board shall be composed of thirteen members. Eight members  
11 shall be appointed by the governor, one of whom shall be a  
12 representative of higher education, ~~((one of whom shall be a  
13 representative of an agency under a state-wide elected official other  
14 than the governor, and two))~~ who is from the discipline of computer  
15 technology, one of whom shall be the director of financial management,  
16 one of whom shall be the director of the department who shall be a  
17 voting member of the board, and five of whom shall be representatives  
18 of the private sector. One member shall represent the judicial branch  
19 and be appointed by the chief justice of the supreme court. ((One  
20 member shall be the superintendent of public instruction or shall be  
21 appointed by the superintendent of public instruction.—One)) Two  
22 members shall represent the house of representatives and shall be  
23 selected by the speaker of the house of representatives, one from each  
24 of the two major political parties; ((one)) two members shall represent  
25 the senate and shall be appointed by the president of the senate, one  
26 from each of the two major political parties. ((The representatives of  
27 the house of representatives and senate shall not be from the same  
28 political party.—One member shall be the director who shall be a  
29 voting member of the board.)) These members shall constitute the  
30 membership of the board with full voting rights. Members of the board  
31 shall serve at the pleasure of the appointing authority. The board  
32 shall select a chairperson from among its members.

33 Vacancies shall be filled in the same manner that the original  
34 appointments were made.

35 A majority of the members of the board shall constitute a quorum  
36 for the transaction of business.

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

4 **Sec. 2.** RCW 43.105.041 and 1996 c 171 s 8 and 1996 c 137 s 12 are  
5 each reenacted and amended to read as follows:

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

8 (a) To develop standards governing the acquisition and disposition  
9 of equipment, proprietary software and purchased services, and  
10 confidentiality of computerized data;

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

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

26 (d) To review and approve standards and common specifications for  
27 new or expanded telecommunications networks proposed by agencies,  
28 public postsecondary education institutions, educational service  
29 districts, or state-wide or regional providers of K-12 information  
30 technology services, and to assure the cost-effective development and  
31 incremental implementation of a state-wide video telecommunications  
32 system to serve: Public schools; educational service districts;  
33 vocational-technical institutes; community colleges; colleges and  
34 universities; state and local government; and the general public  
35 through public affairs programming;

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

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

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

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

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

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

11 (ii) Training and education; and

12 (iii) Project management;

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

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

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

22 (a) Establish technical standards to facilitate electronic access  
23 to government information and interoperability of information systems.  
24 Local governments are strongly encouraged to follow the standards  
25 established by the board; and

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

28 In developing these standards, the board is encouraged to include  
29 the state library, state archives, and appropriate representatives of  
30 state and local government.

31 (3) At least twice a year the chair shall report to the fiscal  
32 committees of the house of representatives and senate on the status of  
33 information technology projects and initiatives in state government.  
34 At the discretion of the individual chairs, such reports may be oral  
35 presentations.

36 **Sec. 3.** RCW 43.105.190 and 1996 c 137 s 15 are each amended to  
37 read as follows:

1 (1) The department, with the approval of the board, shall establish  
2 standards and policies governing the planning, implementation, and  
3 evaluation of major information technology projects, including those  
4 proposed by the superintendent of public instruction, in conjunction  
5 with educational service districts, or state-wide or regional providers  
6 of K-12 education information technology services. The standards and  
7 policies shall:

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

12 (b) Establish a model process and procedures which agencies shall  
13 follow in developing and implementing project plans. Agencies may  
14 propose, for approval by the department, a process and procedures  
15 unique to the agency. The department may accept or require  
16 modification of such agency proposals or the department may reject such  
17 agency proposals and require use of the model process and procedures  
18 established under this subsection. Any process and procedures  
19 developed under this subsection shall require (i) distinct and  
20 identifiable phases upon which funding may be based, (ii) user  
21 validation of products through system demonstrations and testing of  
22 prototypes and deliverables, and (iii) other elements identified by the  
23 board.

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

27 The director may terminate a major project if the director  
28 determines that the project is not meeting or is not expected to meet  
29 anticipated performance standards.

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

33 (a) Funding of a project under terms and conditions mutually agreed  
34 to by the director, the director of financial management, and the head  
35 of the agency proposing the project. However, the office of financial  
36 management may require incremental funding of a project on a phase-by-  
37 phase basis whereby funds for a given phase of a project may be  
38 released only when the office of financial management determines, with

1 the advice of the department, that the previous phase is satisfactorily  
2 completed;

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

5 (c) Other elements deemed necessary by the office of financial  
6 management.

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

12 Copies of project evaluations conducted under this subsection shall  
13 be submitted to the office of financial management ((and)), the chairs,  
14 ranking minority members, and staff coordinators of the  
15 ((appropriations)) fiscal committees of the senate and house of  
16 representatives, and the policy committees of the senate and house of  
17 representatives with responsibilities for issues relating to the agency  
18 that undertakes the project.

19 NEW SECTION. Sec. 4. A new section is added to chapter 43.105 RCW  
20 to read as follows:

21 The information services board shall coordinate efforts by agencies  
22 to implement modifications to state information technology necessitated  
23 by the year 2000.

24 **Sec. 5.** RCW 42.17.2401 and 1996 c 186 s 504 are each amended to  
25 read as follows:

26 For the purposes of RCW 42.17.240, the term "executive state  
27 officer" includes:

28 (1) The chief administrative law judge, the director of  
29 agriculture, the administrator of the office of marine safety, the  
30 administrator of the Washington basic health plan, the director of the  
31 department of services for the blind, the director of the state system  
32 of community and technical colleges, the director of community, trade,  
33 and economic development, the secretary of corrections, the director of  
34 ecology, the commissioner of employment security, the chairman of the  
35 energy facility site evaluation council, the secretary of the state  
36 finance committee, the director of financial management, the director  
37 of fish and wildlife, the executive secretary of the forest practices

1 appeals board, the director of the gambling commission, the director of  
2 general administration, the secretary of health, the administrator of  
3 the Washington state health care authority, the executive secretary of  
4 the health care facilities authority, the executive secretary of the  
5 higher education facilities authority, the executive secretary of the  
6 horse racing commission, the executive secretary of the human rights  
7 commission, the executive secretary of the indeterminate sentence  
8 review board, the director of the department of information services,  
9 the director of the interagency committee for outdoor recreation, the  
10 executive director of the state investment board, the director of labor  
11 and industries, the director of licensing, the director of the lottery  
12 commission, the director of the office of minority and women's business  
13 enterprises, the director of parks and recreation, the director of  
14 personnel, the executive director of the public disclosure commission,  
15 the director of retirement systems, the director of revenue, the  
16 secretary of social and health services, the chief of the Washington  
17 state patrol, the executive secretary of the board of tax appeals, the  
18 secretary of transportation, the secretary of the utilities and  
19 transportation commission, the director of veterans affairs, the  
20 president of each of the regional and state universities and the  
21 president of The Evergreen State College, each district and each campus  
22 president of each state community college;

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

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

25 (4) Central Washington University board of trustees, board of  
26 trustees of each community college, each member of the state board for  
27 community and technical colleges, state convention and trade center  
28 board of directors, committee for deferred compensation, Eastern  
29 Washington University board of trustees, Washington economic  
30 development finance authority, The Evergreen State College board of  
31 trustees, executive ethics board, forest practices appeals board,  
32 forest practices board, gambling commission, Washington health care  
33 facilities authority, each member of the Washington health services  
34 commission, higher education coordinating board, higher education  
35 facilities authority, horse racing commission, state housing finance  
36 commission, human rights commission, indeterminate sentence review  
37 board, board of industrial insurance appeals, (~~information services~~  
38 ~~board,~~) interagency committee for outdoor recreation, state investment  
39 board, commission on judicial conduct, legislative ethics board, liquor

1 control board, lottery commission, marine oversight board, Pacific  
2 Northwest electric power and conservation planning council, parks and  
3 recreation commission, personnel appeals board, board of pilotage  
4 commissioners, pollution control hearings board, public disclosure  
5 commission, public pension commission, shorelines hearing board, public  
6 employees' benefits board, board of tax appeals, transportation  
7 commission, University of Washington board of regents, utilities and  
8 transportation commission, Washington state maritime commission,  
9 Washington personnel resources board, Washington public power supply  
10 system executive board, Washington State University board of regents,  
11 Western Washington University board of trustees, and fish and wildlife  
12 commission."

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16 On page 1, line 1 of the title, after "board;" strike the remainder  
17 of the title and insert "amending RCW 43.105.032, 43.105.190, and  
18 42.17.2401; reenacting and amending RCW 43.105.041; and adding a new  
19 section to chapter 43.105 RCW."

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