

CHAPTER 504

[Second Substitute Senate Bill No. 5555]

STATE INFORMATION TECHNOLOGY—MANAGEMENT AND PLANNING

AN ACT Relating to state information technology; amending RCW 43.105.020, 43.105.032, 43.105.041, 43.105.060, 43.105.080, 43.105.130, 27.26.020, 42.17.2401, 43.03.028, 43.19.1905, and 43.19.1923; adding a new section to chapter 41.06 RCW; adding new sections to chapter 43.105 RCW; adding new sections to chapter 43.131 RCW; creating new sections; repealing RCW 43.19.690, 43.105.010, 43.105.014, 43.105.016, 43.105.043, 43.105.045, and 43.105.050; providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. It is the purpose of this chapter to provide for coordinated planning and management of state information services. The legislature recognizes that information systems, telecommunications, equipment, software, and services must satisfy the needs of end users and that many appropriate and cost-effective alternatives exist for meeting these needs, such as shared mainframe computing, shared telecommunications services, local area networks, departmental minicomputers, and microcomputers.

NEW SECTION. Sec. 2. It is the intent of the legislature that:

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

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

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

(4) A structure be created (a) to plan and manage telecommunications and computing networks, (b) to increase agencies' awareness of information sharing opportunities, and (c) to assist agencies in implementing such possibilities;

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

(6) The state improve recruitment, retention, and training of professional staff; and

(7) Plans, proposals, and acquisitions for information services be reviewed from a financial and management perspective as part of the budget process.

Sec. 3. Section 2, chapter 115, Laws of 1967 ex. sess. as amended by section 3, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.020 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise, the following definitions shall apply:

(1) (~~"Authority" means the Washington state data processing authority created by RCW 43.105.032~~) "Department" means the department of information services;

(2) (~~"Automatic data processing" means that method of processing information using punch card (EAM) and/or electronic (EDP) equipment and includes data communication devices used in connection with automatic data processing equipment for the transmission of data;~~

~~(3)) "Board" means the information services board;~~

(3) "Local governments ((agencies))" includes all municipal and quasi municipal corporations and political subdivisions, and all agencies of such corporations and subdivisions authorized to contract separately;

(4) "Director" means the ((executive)) director of the ((authority)) department;

(5) (~~"State agency" means all offices, departments, agencies, institutions, and commissions of state government;~~

~~(6) "System" means an organized collection of men, machines, and methods to accomplish a specific objective;~~

~~(7) "Applications system" means a computerized system which accomplishes a specific objective (i.e., a payroll system or an inventory system))~~
"Purchased services" means services provided by a vendor to accomplish routine, continuing, and necessary functions. This term includes, but is not limited to, services acquired for equipment maintenance and repair, operation of a physical plant, security, computer hardware and software installation and maintenance, data entry, keypunch services, programming services, and computer time-sharing;

(6) "Backbone network" means the shared high-density portions of the state's telecommunications transmission facilities. It includes specially conditioned high-speed communications carrier lines, multiplexors, switches associated with such communications lines, and any equipment and software components necessary for management and control of the backbone network;

(7) "Telecommunications" means the transmission of information by wire, radio, optical cable, electromagnetic, or other means;

(8) "Information processing" means the electronic capture, collection, storage, manipulation, transmission, retrieval, and presentation of information in the form of data, text, voice, or image and includes telecommunications and office automation functions;

(9) "Information services" means data processing, telecommunications, and office automation;

(10) "Equipment" means the machines, devices, and transmission facilities used in information processing, such as computers, word processors, terminals, telephones, and cables;

(11) "Proprietary software" means that software offered for sale or license.

Sec. 4. Section 5, chapter 219, Laws of 1973 1st ex. sess. as last amended by section 86, chapter 287, Laws of 1984 and RCW 43.105.032 are each amended to read as follows:

There is hereby created the Washington state ((data processing authority consisting of eleven)) information services board. The board shall be composed of nine members. Seven members shall be appointed by the governor, and serving at ((his)) the governor's pleasure((The governor shall make such appointments within thirty days after April 25, 1973:)) as follows: Three representatives from cabinet agencies, one representative from higher education, one representative from a noncabinet executive agency, and two representatives from the private sector. One member shall represent the judicial branch and be appointed by the chief justice of the supreme court. One member shall represent the legislative branch and shall be selected by the president of the senate and the speaker of the house of representatives. These members shall constitute the membership of the board with full voting rights. The director shall be an ex officio, nonvoting member of the board. The board shall select a chairperson from among its members.

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

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

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

((The authority shall elect a chairman from among its members and shall appoint an executive director within sixty days after April 25, 1973; subject to confirmation by a majority vote of the senate:))

Sec. 5. Section 6, chapter 219, Laws of 1973 1st ex. sess. as amended by section 115, chapter 3, Laws of 1983 and RCW 43.105.041 are each amended to read as follows:

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

((1) To study, organize, and/or develop automated data processing systems to serve interagency and intraagency needs of state agencies, to provide services of said nature, and to require the development of interagency automated data processing systems;

(2) To examine the desirability of removing common application systems, such as the payroll application system, from the individual agencies and assigning such functions to a single state agency;

~~(3) To make contracts, and to hire employees and consultants necessary or convenient for the purposes of this chapter, and fix their compensation; to enter into appropriate agreements for the utilization of state agencies and, where deemed feasible by the state data processing authority, of local government agencies, and their facilities, services, and personnel in developing and coordinating plans and systems, or other purposes of this chapter, to contract with any and all other governmental agencies for any purpose of this chapter including but not limited to mutual furnishing or utilization of facilities and services or for interagency, intergovernmental, or interstate cooperation in the field of data processing and communications;~~

~~(4)) (1) To develop ((and publish)) standards ((to implement the purposes of this chapter, including but not limited to standards for the coordinated acquisition and maintenance of data processing)) governing the acquisition and disposition of equipment ((and services, requirements for the furnishing of information and data concerning existing data processing systems by state offices, departments, and agencies and local government agencies, where deemed feasible by the state data processing authority, and standards and regulations to establish and maintain the confidential nature of information insofar as such)), proprietary software and purchased services, and confidentiality ((may be necessary for individual privacy and the protection of private rights in connection with data processing and communications)) of computerized data;~~

~~((5)) (2) To purchase, lease, rent, or otherwise acquire, dispose of, and maintain ((automatic data processing)) equipment, proprietary software, and purchased services, or to delegate to other agencies and institutions of state government, under appropriate standards, the authority to purchase, lease, rent, or otherwise acquire, dispose of, and maintain ((automatic data processing)) equipment, proprietary software, and purchased services: PROVIDED, ((That in exercising such authority, due consideration and effect shall be given to the overall purpose of this chapter and the statutory obligations, total management, and needs of each agency: PROVIDED, FURTHER,)) That, agencies and institutions of state government are expressly prohibited from acquiring ((data processing)) or disposing of equipment, proprietary software, and purchased services without such delegation of authority. The acquisition and disposition of ((automatic data processing)) equipment, proprietary software, and purchased services is exempt from RCW 43.19.1919 and, as provided in RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200. This subsection does not apply to the legislative branch;~~

~~((6) To require the consolidation of computing resources into central data processing service center or to establish central data processing service centers;~~

~~(7)) (3) To develop ((and maintain all)) state-wide or interagency ((data processing)) technical policies, standards, and procedures;~~

~~((8) To delegate to a single agency the responsibility for maintaining interagency applications systems;~~

~~(9) To provide to state agencies such automatic data processing technical training as is necessary or convenient to implement standardization of automatic data processing techniques;~~

~~(10) To carry out the tasks assigned in RCW 43.105.043 and to report periodically and as requested by the legislature to the legislature on its progress;~~

~~(11) To enact such rules and regulations as may be necessary to carry out the purposes of this chapter))~~ (4) To provide direction concerning strategic planning goals and objectives for the state. The board shall seek input from the legislature and the judiciary.

(5) To develop and implement a process for the resolution of appeals:

(a) By vendors concerning the conduct of an acquisition process by an agency or the department; or

(b) By a customer agency concerning the provision of services by the department or by other state agency providers;

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

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

(b) Training and education; and

(c) Project management;

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

(8) To review and approve that portion of the department's budget requests that provides for support to the board; and

(9) To abolish the use of service center designations and establish necessary policies and standards to allow Washington State University and the department of transportation to continue the practice of providing information services to other agencies and local governments.

NEW SECTION. Sec. 6. A new section is added to chapter 43.105 RCW to read as follows:

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

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

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

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

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

(5) Recommend statutory changes to the governor and the board.

NEW SECTION. Sec. 7. A new section is added to chapter 41.06 RCW to read as follows:

In addition to the exemptions under RCW 41.06.070, the provisions of this chapter shall not apply in the department of information services to up to twelve positions in the planning component involved in policy development and/or senior professionals.

NEW SECTION. Sec. 8. A new section is added to chapter 43.105 RCW to read as follows:

The department shall:

(1) Perform all duties and responsibilities the board delegates to the department, including but not limited to (a) the review of agency acquisition plans and requests and (b) implementation of state-wide and interagency policies, standards, and guidelines;

(2) Make available information services to state agencies and local governments on a full cost-recovery basis. These services may include, but are not limited to: Telecommunications services for voice, data, and video; mainframe computing services; support for departmental and microcomputer evaluation, installation, and use; equipment acquisition assistance, including leasing, brokering, and establishing master contracts; facilities management services for information technology equipment, equipment repair, and maintenance service; office automation services; system development services; and training. These services are for discretionary use by customers and customers may elect other alternatives for service if these alternatives are more cost-effective or provide better service. Agencies may be required to use the backbone network portions of the telecommunications services during an initial start-up period not to exceed three years;

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

(4) With the advice of the information services board and agencies, develop and publish state-wide goals and objectives at least biennially;

(5) Develop plans for the department's achievement of state-wide goals and objectives. These plans shall address such services as telecommunications, central and distributed computing, local area networks, office automation, and end user computing. The department shall seek the advice of customer oversight committees and the board in the development of these plans;

(6) Develop training plans and coordinate training programs that are responsive to the needs of agencies, in collaboration with the department of personnel and the higher education personnel board;

(7) Identify opportunities for the effective use of information services and coordinate appropriate responses to those opportunities;

(8) Assess agencies' projects, acquisitions, plans, or overall information processing performance as requested by the board, agencies, the director of financial management, or the legislature. Agencies may be required to reimburse the department for agency-requested reviews;

(9) Develop planning, budgeting, and expenditure reporting requirements, in conjunction with the office of financial management, for agencies to follow;

(10) Assist the office of financial management with budgetary and policy review of agency plans for information services;

(11) Provide staff support from the planning component to the board for:

(a) Meeting preparation, notices, and minutes;

(b) Promulgation of policies, standards, and guidelines adopted by the board;

(c) Supervision of studies and reports requested by the board;

(d) Conducting reviews and assessments as directed by the board; and

(12) Perform all other matters and things necessary to carry out the purposes and provisions of this chapter.

NEW SECTION. Sec. 9. A new section is added to chapter 43.105 RCW to read as follows:

(1) The director shall appoint advisory committees to assist the department. Advisory committees shall include, but are not limited to, customer oversight committees.

(2) Customer oversight committees shall provide the department with advice concerning the type, quality, and cost of the department's services. The number of customer oversight committees and their membership shall be determined by the director to assure that all services are subject to oversight by a representative selection of customers. At least annually, these committees shall meet to recommend, review, and comment on the service goals and objectives of the department and the budgets for operations of those services and the rates to be charged for those services. The committees may call upon the board to resolve disputes between agencies and the department which may arise with regard to service offerings, budgets, or rates.

(3) Any advisory committee created by the director may be convened by a majority of its members, by its chair, or by the director.

Sec. 10. Section 6, chapter 115, Laws of 1967 ex. sess. as amended by section 9, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.060 are each amended to read as follows:

State and local government agencies are authorized to enter into any contracts with the ((authority)) department or its successor which may be necessary or desirable to effectuate the purposes and policies of this chapter or for maximum utilization of facilities and services which are the subject of this chapter.

Sec. 11. Section 1, chapter 129, Laws of 1974 ex. sess. as amended by section 116, chapter 3, Laws of 1983 and RCW 43.105.080 are each amended to read as follows:

~~((For the purposes of distributing and apportioning the full cost of data processing and data communication to its users and for the purpose of extending the useful life of state owned data processing and data communication equipment, and for such other purposes as may be necessary or convenient to carry out the purposes of this chapter,))~~ There is ((hereby)) created ((within the state treasury a revolving fund to be known as the "data processing revolving fund" which shall be used for the acquisition of data processing and data communication services, supplies and equipment handled or rented by the Washington state data processing authority or under its authority by any Washington state data processing service center designee, and the payment of salaries, wages and other costs incidental to the acquisition, operation and administration of acquired data processing services, supplies and equipment. The data processing revolving fund shall be credited with all receipts from the rental, sale or distribution of supplies, equipment and services rendered to governmental agencies. The data processing moneys presently held in, or hereafter accruing to, the present central stores revolving fund created by RCW 43.19.1923 are hereby transferred to the data processing revolving fund created by this section)) a revolving fund to be known as the data processing revolving fund in the custody of the state treasurer. The revolving fund shall be used for the acquisition of equipment, software, supplies, and services and the payment of salaries, wages, and other costs incidental to the acquisition, development, operation, and administration of information services, telecommunications, systems, software, supplies and equipment by the department, Washington State University's computer services center, the department of personnel's personnel information systems division, the office of financial management's financial systems management group, and other users as jointly determined by the department and the office of financial management. The revolving fund is subject to the allotment procedure provided under chapter 43.88 RCW. Disbursements from the revolving fund for the services component of the department are not subject to appropriation. Disbursements for the

planning component of the department are subject to appropriation. All disbursements from the fund are subject to the allotment procedures provided under chapter 43.88 RCW. The department shall establish and implement a billing structure to assure all agencies pay an equitable share of the costs.

As used in this section, the word "supplies" shall not be interpreted to delegate or abrogate the division of purchasing's responsibilities and authority to purchase supplies as described in RCW 43.19.190 and 43.19.200.

Sec. 12. Section 4, chapter 110, Laws of 1975-'76 2nd ex. sess. as amended by section 6, chapter 21, Laws of 1985 and RCW 43.105.130 are each amended to read as follows:

The ~~((data processing authority and the))~~ state library commission shall develop ~~((jointly))~~ a schedule of user fees for users of the western library network computer system and a schedule of charges for the network's products and licenses for the purpose of distributing and apportioning to such users, buyers, and licensees the full cost of operation and continued development of data processing and data communication services related to the network. Such schedule shall generate sufficient revenue to cover the costs relating to the library network of:

(1) ~~((The acquisition of data processing and data communication services, supplies, and equipment handled or rented by the data processing authority or under its authority by any other state data processing service center designee;~~

~~((2)))~~ The payment of salaries, wages, and other costs including but not limited to the acquisition, operation, and administration of acquired ~~((data processing))~~ information services, supplies, and equipment; and

~~((3)))~~ (2) The promotion of network products and services.

As used in this section, the term "supplies" shall not be interpreted to delegate or abrogate the state purchasing and material control director's responsibilities and authority to purchase supplies as provided for in chapter 43.19 RCW.

Sec. 13. Section 1, chapter 31, Laws of 1975-'76 2nd ex. sess. as amended by section 2, chapter 21, Laws of 1985 and RCW 27.26.020 are each amended to read as follows:

There is hereby established the western library network, hereinafter called the network, which shall consist of the western library network computer system, telecommunications systems, interlibrary systems, and reference and referral systems.

Responsibility for the network shall reside with the Washington state library commission ~~((, except for certain automated data processing components as provided for and defined in chapter 43.105 RCW. PROVIDED, That all components, systems and programs operated pursuant to this section shall be approved by the data processing authority created pursuant to~~

~~chapter 43.105 RCW~~). The commission shall adopt and promulgate policies, rules, and regulations consistent with the purposes and provisions of this chapter pursuant to chapter 34.04 RCW, the administrative procedure act, except that nothing in this chapter shall abrogate the authority of a participating library, institution, or organization to establish its own policies for collection development and use of its library resources.

Sec. 14. Section 2, chapter 34, Laws of 1984 as amended by section 8, chapter 6, Laws of 1985 and RCW 42.17.2401 are each amended to read as follows:

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

(1) The chief administrative law judge, the director of financial management, the director of personnel, the director of community development, the director of the state system of community colleges, the ~~((executive))~~ director of the ~~((data processing authority))~~ department of information services, the executive secretary of the forest practices appeals board, the director of the gambling commission, the director of the higher education personnel board, the secretary of transportation, the executive secretary of the horse racing commission, the executive secretary of the human rights commission, the administrator of the interagency committee for outdoor recreation, the director of parks and recreation, the executive secretary of the board of prison terms and paroles, the administrator of the public disclosure commission, the director of retirement systems, the secretary of the utilities and transportation commission, the executive secretary of the board of tax appeals, the secretary of the state finance committee, the president of each of the regional and state universities and the president of The Evergreen State College, each district and each campus president of each state community college;

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

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

(4) Each member of the state board for community college education, ~~((data processing authority))~~ information services board, forest practices board, forest practices appeals board, gambling commission, game commission, higher education personnel board, transportation commission, horse racing commission, human rights commission, board of industrial insurance appeals, liquor control board, interagency committee for outdoor recreation, parks and recreation commission, personnel board, personnel appeals board, board of prison terms and paroles, public disclosure commission, public employees' retirement system board, public pension commission, University of Washington board of regents, Washington State University board of regents, board of tax appeals, teachers' retirement system board of trustees, Central Washington University board of trustees, Eastern Washington University board of trustees, The Evergreen State College board of trustees, Western Washington University board of trustees, board of trustees of each

community college, state housing finance commission, and the utilities and transportation commission.

Sec. 15. Section 20, chapter 87, Laws of 1980 as last amended by section 9, chapter 155, Laws of 1986 and RCW 43.03.028 are each amended to read as follows:

(1) There is hereby created a state committee on agency officials' salaries to consist of seven members, or their designees, as follows: The president of the University of Puget Sound; the chairperson of the council of presidents of the state's four-year institutions of higher education; the chairperson of the State Personnel Board; the president of the Association of Washington Business; the president of the Pacific Northwest Personnel Managers' Association; the president of the Washington State Bar Association; and the president of the Washington State Labor Council. If any of the titles or positions mentioned in this subsection are changed or abolished, any person occupying an equivalent or like position shall be qualified for appointment by the governor to membership upon the committee.

(2) The committee shall study the duties and salaries of the directors of the several departments and the members of the several boards and commissions of state government, who are subject to appointment by the governor or whose salaries are fixed by the governor, and of the chief executive officers of the following agencies of state government:

The arts commission; the human rights commission; the board of accountancy; the board of pharmacy; the capitol historical association and museum; the eastern Washington historical society; the Washington state historical society; the interagency committee for outdoor recreation; the criminal justice training commission; the department of personnel; the state finance committee; the state library; the traffic safety commission; the horse racing commission; the commission for vocational education; the advisory council on vocational education; the public disclosure commission; the hospital commission; the state conservation commission; the commission on Mexican-American affairs; the commission on Asian-American affairs; the state board for volunteer firemen; the urban arterial board; ~~((the data processing authority;))~~ the public employees relations commission; the forest practices appeals board; and the energy facilities site evaluation council.

The committee shall report to the governor or the chairperson of the appropriate salary fixing authority at least once in each fiscal biennium on such date as the governor may designate, but not later than seventy-five days prior to the convening of each regular session of the legislature during an odd-numbered year, its recommendations for the salaries to be fixed for each position.

(3) Committee members shall be reimbursed by the department of personnel for travel expenses under RCW 43.03.050 and 43.03.060.

Sec. 16. Section 5, chapter 21, Laws of 1975-'76 2nd ex. sess. as amended by section 7, chapter 172, Laws of 1980 and RCW 43.19.1905 are each amended to read as follows:

The director of general administration, after consultation with the supply management advisory board shall establish overall state policy for compliance by all state agencies, including educational institutions, regarding the following purchasing and material control functions:

- (a) Development of a state commodity coding system, including common stock numbers for items maintained in stores for reissue;
- (b) Determination where consolidations, closures, or additions of stores operated by state agencies and educational institutions should be initiated;
- (c) Institution of standard criteria for determination of when and where an item in the state supply system should be stocked;
- (d) Establishment of stock levels to be maintained in state stores, and formulation of standards for replenishment of stock;
- (e) Formulation of an overall distribution and redistribution system for stock items which establishes sources of supply support for all agencies, including interagency supply support;
- (f) Determination of what function data processing equipment, including remote terminals, shall perform in state-wide purchasing and material control for improvement of service and promotion of economy(~~(, and the coordination of needs with the Washington state data processing authority)~~);
- (g) Standardization of records and forms used state-wide for supply system activities involving purchasing, receiving, inspecting, storing, requisitioning, and issuing functions under the provisions of RCW 43.19.510;
- (h) Screening of supplies, material, and equipment excess to the requirements of one agency for overall state need before sale as surplus;
- (i) Establishment of warehouse operation and storage standards to achieve uniform, effective, and economical stores operations;
- (j) Establishment of time limit standards for the issuing of material in store and for processing requisitions requiring purchase;
- (k) Formulation of criteria for determining when centralized rather than decentralized purchasing shall be used to obtain maximum benefit of volume buying of identical or similar items, including procurement from federal supply sources;
- (l) Development of criteria for use of leased, rather than state owned, warehouse space based on relative cost and accessibility;
- (m) Institution of standard criteria for purchase and placement of state furnished materials, carpeting, furniture, fixtures, and nonfixed equipment, in newly constructed or renovated state buildings;
- (n) Determination of how transportation costs incurred by the state for materials, supplies, services, and equipment can be reduced by improved freight and traffic coordination and control;

(o) Establishment of a formal certification program for state employees who are authorized to perform purchasing functions as agents for the state under the provisions of chapter 43.19 RCW;

(p) Development of performance measures for the reduction of total overall expense for material, supplies, equipment, and services used each biennium by the state;

(q) Establishment of a standard system for all state organizations to record and report dollar savings and cost avoidance which are attributable to the establishment and implementation of improved purchasing and material control procedures;

(r) Development of procedures for mutual and voluntary cooperation between state agencies, including educational institutions, and political subdivisions for exchange of purchasing and material control services;

(s) Resolution of all other purchasing and material matters referred to him by a member of the advisory board which require the establishment of overall state-wide policy for effective and economical supply management;

(t) Development of guidelines and criteria for the purchase of vehicles, alternate vehicle fuels and systems, equipment, and materials that reduce overall energy-related costs and energy use by the state, including the requirement that new passenger vehicles purchased by the state meet the minimum standards for passenger automobile fuel economy established by the United States secretary of transportation pursuant to the energy policy and conservation act (15 U.S.C. Sec. 2002).

Sec. 17. Section 43.19.1923, chapter 8, Laws of 1965 as last amended by section 12, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19-.1923 are each amended to read as follows:

There is created within the department of general administration a revolving fund to be known as the "central stores revolving fund", which shall be used for the purchase of supplies and equipment handled or rented through central stores, and the payment of salaries, wages, and other costs incidental to the acquisition, operation, and maintenance of the central stores, and other activities connected therewith, which shall include ~~((telecommunications and))~~ utilities services. The fund shall be credited with all receipts from the rental, sale or distribution of supplies, equipment, and services rendered to the various state agencies. ~~((The moneys held in the present central stores revolving fund created by section 4, chapter 160, Laws of 1943 are hereby transferred to the central stores revolving fund created by this section. PROVIDED, That))~~ Central stores, ~~((telecommunications;))~~ utilities services, and other activities within the central stores revolving fund shall be treated as separate operating entities for financial and accounting control ~~((-PROVIDED FURTHER, That))~~. Financial records involving the central stores revolving fund shall be designed to provide data for achieving maximum effectiveness and economy of each individual activity within the fund.

NEW SECTION. Sec. 18. All moneys in the central stores revolving fund relating to telecommunications on the effective date of this section shall be transferred to the data processing revolving fund.

All moneys in the data processing revolving fund established under section 1, chapter 129, Laws of 1974 ex. sess. on the effective date of this act shall be transferred to the data processing revolving fund established under section 11 of this act.

NEW SECTION. Sec. 19. The data processing authority is abolished. All policies, standards, guidelines, and rules and all pending business of the data processing authority shall be continued under the authority of the information services board until or unless modified or repealed by the board. All policies, rules, and regulations established by the department of general administration with regard to the state's telecommunications systems are to remain in effect under the authority of the information services board until or unless modified or repealed by the board.

All reports, documents, surveys, books, records, files, papers, or written material in the possession of the data processing authority shall be transferred to the custody of the department of information services. All cabinets, furniture, office equipment, motor vehicles, information technology equipment, information technology software, and other tangible property owned by the data processing authority are hereby transferred at no cost to the department. All funds, credits, contractual obligations, or other assets held by the data processing authority shall be assigned to the department.

Any appropriations made to the data processing authority are transferred and credited to the department of information services. Whenever any question arises as to the transfer of any personnel, funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

All employees of the data processing authority, including the executive director and the confidential secretary, are transferred to the jurisdiction of the department of information services. Those employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the department to perform their duties upon the same terms as formerly without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service. Nothing contained in this section may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

The transfer of the powers, duties, functions, and personnel of the data processing authority shall not affect the validity of any act performed by such employee prior to the effective date of this section.

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

NEW SECTION. Sec. 20. All powers, duties, and functions of the department of general administration's Washington data processing service center (service center 1), telecommunications division, that portion of the administrative services division providing direct support to the telecommunications division, and the department of licensing's data processing service center (service center 3) are transferred to the department of information services. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of general administration's Washington data processing service center (service center 1), telecommunications division, that portion of the administrative services division providing direct support to the telecommunications division, and the department of licensing's data processing service center (service center 3) shall be transferred to the custody of the department of information services. All cabinets, furniture, office equipment, motor vehicles, equipment, software, and other tangible property owned by the department of general administration's Washington data processing service center (service center 1), telecommunications division, that portion of the administrative services division providing direct support to the telecommunications division, and the department of licensing's data processing service center (service center 3) are hereby transferred at no cost to the department. All funds, credits, contractual obligations, or other assets held by the department of general administration's Washington data processing service center (service center 1), telecommunications division, that portion of the administrative services division providing direct support to the telecommunications division and the department of licensing's data processing service center (service center 3) shall be assigned to the department.

Any appropriations made to the department of general administration's Washington data processing service center (service center 1), telecommunications division, that portion of the administrative services division providing direct support to the telecommunications division, and the department of licensing's data processing service center (service center 3) are transferred and credited to the department of information services. Whenever any question arises as to the transfer of any personnel, funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of

the powers and performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

All employees of the department of general administration's Washington data processing service center (service center 1), telecommunications division, that portion of the administrative services division providing direct support to the telecommunications division, and the department of licensing's data processing service center (service center 3) are transferred to the jurisdiction of the department of information services. Those employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the department to perform their duties upon the same terms as formerly without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service. Nothing contained in this section may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law. The transfer of the powers, duties, functions, and personnel by this section shall not affect the validity of any act performed by such employee prior to the effective date of this section.

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

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

- (1) Section 5, chapter 296, Laws of 1983 and RCW 43.19.690;
- (2) Section 1, chapter 115, Laws of 1967 ex. sess., section 1, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.010;
- (3) Section 10, chapter 61, Laws of 1986 and RCW 43.105.014;
- (4) Section 2, chapter 219, Laws of 1973 1st ex. sess., section 17, chapter 158, Laws of 1986 and RCW 43.105.016;
- (5) Section 7, chapter 219, Laws of 1973 1st ex. sess., section 11, chapter 52, Laws of 1983 and RCW 43.105.043;
- (6) Section 8, chapter 219, Laws of 1973 1st ex. sess., section 13, chapter 155, Laws of 1986 and RCW 43.105.045; and
- (7) Section 5, chapter 115, Laws of 1967 ex. sess. and RCW 43.105-.050.

NEW SECTION. Sec. 22. A new section is added to chapter 43.131 RCW to read as follows:

The information services board and the department of information services and their powers and duties shall be terminated on June 30, 1994, as provided in section 24 of this act.

***NEW SECTION. Sec. 23. (1) The legislative evaluation and accountability program administration (LEAP) shall conduct a comprehensive study of state budgets and expenditures for information systems. The study shall include but need not be limited to:**

(a) Estimates, to the extent feasible, of total planned state expenditures by agency for information systems during the 1987-89 biennium, including equipment costs, software costs, numbers and costs of full-time equivalent employees, and consultant costs. The estimates shall include expenditures to be made by agencies pursuant to authority delegated under section 5(2) of this act, as well as expenditures to be made through the services component of the department of information services. If appropriate, expenditures shall be treated as for information system purposes, even if not expressly budgeted as such.

(b) Quarterly reports to legislative fiscal committees during the 1987-89 biennium, which compare actual information system expenditures to estimates determined under subsection (1)(a) of this section.

(c) Reviews of state information systems' budget development and expenditure reporting processes, with an emphasis on developing procedures which will allow accurate comparisons of budgeted costs with actual expenditures.

(d) Reviews of the department of information services rate structures by cost center, including, but not limited to, examination of cost components such as:

- (i) Hardware and software acquisitions;**
- (ii) Vendor price performance trends; and**
- (iii) Staffing policies.**

(2) The office of financial management and the department of information services shall assist LEAP as required to fulfill the purposes of this section.

(3) LEAP shall report any suggested changes in rate structures, budget preparation procedures, appropriation procedures, allotment procedures, or expenditure reporting procedures, including any proposed statutory changes, to the legislative fiscal committees. An initial report shall be made before the first day of the 1988 regular legislative session, and a final report shall be made before the first day of the 1989 regular legislative session.

(4) This section shall expire July 1, 1989.

***Sec. 23 was vetoed, see message at end of chapter.**

NEW SECTION. Sec. 24. A new section is added to chapter 43.131 RCW to read as follows:

Chapter 43.105 RCW shall expire June 30, 1995.

Section 7 of this act and RCW 41.06.—, as now or hereafter amended, are each repealed, effective June 30, 1995.

NEW SECTION. Sec. 25. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 26. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1987.

Passed the Senate April 25, 1987.

Passed the House April 16, 1987.

Approved by the Governor May 19, 1987, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 19, 1987.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 23, Second Substitute Senate Bill No. 5555, entitled:

"AN ACT Relating to state information technology."

Section 23 of this bill would require that a study of state budgets and expenditures for information systems be conducted by the legislative evaluation and accountability program administration. This study would be conducted over a period of two years, while the new Department of Information Services is being formed.

I believe that this section is unnecessary. The Legislature has the general oversight authority for state agencies and may undertake studies of state operations without implementing legislation.

Furthermore, this study would be taking place while a great many changes are made in the organization of state information systems, as required by the remainder of this bill. It may be more difficult to get accurate baseline data during this period than at other times. To ensure that the Legislature is fully informed about the development and operations of this new agency, I will be instructing its director to make periodic reports to appropriate legislative committees.

With the exception of section 23, Second Substitute Senate Bill No. 5555 is approved."

CHAPTER 505

[Engrossed Substitute House Bill No. 25]

STATE GOVERNMENT REPORTS AND PUBLICATIONS

AN ACT Relating to state government; amending RCW 1.30.040, 9.46.090, 13.40.210, 18.130.310, 19.02.040, 19.27.070, 27.34.220, 28A.58.090, 28B.04.070, 28B.10.863, 28B.19.050, 28B.20.382, 28B.30.537, 28B.50.070, 28C.04.550, 34.04.040, 34.04.280, 36.78.070, 39.19.030, 39.58.085, 39.84.090, 39.86.070, 41.50.050, 43.19.19362, 43.19.538, 43.19.660, 43.21A.130, 43.21F.045, 43.31.135, 43.59.130, 43.63A.060, 43.63A.078, 43.63A.220, 43.88.090, 43.88.160, 43.88.510, 43.121.090, 43.150.060, 43.155.070, 43.155.080, 43.160.090, 43.210.040, 43.220.060, 44.28.100, 44.48.100, 46.23.030, 47.01.101, 47.01.141, 47.05.021,