

8A.204 Technology governance board members powers and duties.

1. *Definitions.* For purposes of this section, unless the context otherwise requires:

a. "Agency" means a participating agency as defined in section 8A.201. In addition, the following definitions shall also apply:

(1) "Large agency" means a state agency with more than seven hundred full-time, year-round employees.

(2) "Medium-sized agency" means a state agency with at least seventy or more full-time, year-round employees, but not more than seven hundred permanent employees.

(3) "Small agency" means a state agency with less than seventy full-time, year-round employees.

b. "Board" means the technology governance board.

c. "Department" means the department of administrative services, including the information technology enterprise.

2. *Membership.*

a. The technology governance board is composed of ten members as follows:

(1) The director.

(2) The director of the department of management, or the director's designee.

(3) Eight members appointed by the governor as follows:

(a) Three representatives from large agencies.

(b) Two representatives from medium-sized agencies.

(c) One representative from a small agency.

(d) Two public members who are knowledgeable and have experience in information technology matters.

b. (1) Members appointed pursuant to paragraph "a", subparagraph (3), shall serve two-year staggered terms. The department shall provide, by rule, for the commencement of the term of membership for the nonpublic members. The terms of the public members shall be staggered at the discretion of the governor.

(2) Sections 69.16, 69.16A, and 69.19 shall apply to the public members of the board.

(3) Public members appointed by the governor are subject to senate confirmation.

(4) Public members appointed by the governor may be eligible to receive compensation as provided in section 7E.6.

(5) Members shall be reimbursed for actual and necessary expenses incurred in performance of the members' duties.

(6) A director, deputy director, or chief financial officer of an agency is preferred as an appointed representative for each of the agency categories of membership pursuant to paragraph "a", subparagraph (3).

- c. The technology governance board annually shall elect a chair and a vice chair from among the members of the board, by majority vote, to serve one-year terms.
- d. A majority of the members of the board shall constitute a quorum.
- e. Meetings of the board shall be held at the call of the chairperson or at the request of three members.
3. *Powers and duties of the board.* The powers and duties of the technology governance board as they relate to information technology services shall include, but are not limited to, all of the following:
- a. On an annual basis, prepare a report to the governor, the department of management, and the general assembly regarding the total spending on technology for the previous fiscal year, the total amount appropriated for the current fiscal year, and an estimate of the amount to be requested for the succeeding fiscal year for all agencies. The report shall include a five-year projection of technology cost savings, an accounting of the level of technology cost savings for the current fiscal year, and a comparison of the level of technology cost savings for the current fiscal year with that of the previous fiscal year. This report shall be filed as soon as possible after the close of a fiscal year, and by no later than the second Monday of January of each year.
- b. Work with the department of management and the state accounting enterprise of the department, pursuant to section 8A.502, to maintain the relevancy of the central budget and proprietary control accounts of the general fund of the state and special funds to information technology, as those terms are defined in section 8.2, of state government.
- c. Develop and approve administrative rules governing the activities of the board. The department shall assist in development of the rules and shall adopt the rules under the department's name.
- d. In conjunction with the department, develop and adopt information technology standards pursuant to section 8A.206 applicable to all agencies.
- e. Make recommendations to the department regarding all of the following:
- (1) Technology utility services to be implemented by the department or other agencies.
 - (2) Improvements to information technology service levels and modifications to the business continuity plan for information technology operations developed by the department pursuant to section 8A.202 for agencies, and to maximize the value of information technology investments by the state.
 - (3) Technology initiatives for the executive branch.
- f. Review the recommendations of the IowAccess advisory council regarding rates to be charged for access to and for value-added services performed through IowAccess, pursuant to section 8A.221. The board shall report the establishment of a new rate of change in the level of an existing rate to the department, which shall notify the department of management and the legislative services agency regarding the rate establishment or change.
- g. Designate advisory groups as appropriate to assist the board in all of the following:
- (1) Development and adoption of an executive branch strategic technology plan.
 - (2) Annual review of technology operating expenses and capital investment budgets of agencies by October 1 for the following fiscal year, and development of technology costs savings projections, accountings, and

comparisons.

(3) Quarterly review of requested modifications to budgets of agencies due to funding changes.

(4) Review and approval of all concept papers and documentation related to requests for proposals for all information technology devices, hardware acquisition, information technology services, software development projects, and information technology outsourcing for agencies that exceed the greater of a total cost of fifty thousand dollars or a total involvement of seven hundred fifty agency staff hours as follows:

(a) The review and approval of concept papers and documentation as provided in this subparagraph shall occur prior to the issuance of the related request for proposals.

(b) Notwithstanding section 21.5, subsection 1, the board, by vote of at least six members, may hold a closed session to review and discuss concept papers and documentation related to a request for proposals if the board determines that the public disclosure of such discussion prior to the issuance of the request for proposals may disadvantage any potential vendors.

(c) The board shall keep detailed minutes of all discussion, persons present, and action occurring at a closed session, and shall also tape record all of the closed session. The minutes and the tape recording of a session closed under this subparagraph shall be made available for public examination when a final decision is made regarding whether to issue the request for proposals.

(d) All board actions and decisions regarding this information shall be made in open session and appropriately recorded.

(5) Development of a plan and process to improve service levels and continuity of business operations, and to maximize the value of information technology investments.

(6) Formation of internal teams to address cost-savings initiatives, including consolidation of information technology and related functions among agencies, as enacted by the technology governance board.

(7) Development of information technology standards.

(8) Development of rules, processes, and procedures for implementation of aggregate purchasing among agencies.

4. *Funding.* Activities of the technology governance board shall be funded by the information technology enterprise of the department, through the Iowa Access revolving fund created in section 8A.224, notwithstanding contrary provisions of any other law.

5. *Legislative information.* The board shall allow representatives of the senate, house of representatives, legislative services agency, and office of citizens' aide to provide information to and seek information from the board.

6. *Rules.* The department shall adopt rules as necessary to administer this section, which shall at a minimum, consistent with section 8A.221, establish a process for the submission to the board of proposed fees for value-added services by participating agencies and other governmental entities, as well as the board's submission of recommendations regarding such fees to the department of management.

2003 Acts, ch 35, § 46, 49; 2003 Acts, ch 145, §20, 293; 2005 Acts, ch 90, §3; 2005 Acts, ch 179, §142; 2006 Acts, ch 1072, §1; 2006 Acts, ch 1185, §114; 2007 Acts, ch 115, §4, 5; 2008 Acts, ch 1031, §75; 2008 Acts, ch 1032, §113; 2008 Acts, ch 1156, §9, 58

Footnotes

Confirmation, § 2.32