



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 29, 2005

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

House File 253, an Act relating to governmental ethics and the duties of the Iowa Ethics and Campaign Disclosure Board.

House File 313, an Act relating to the establishment of an industrial processing exemption study committee and including an effective date.

House File 398, an Act adding an exemption for colleges and universities established by city ordinance to the requirements relating to the registration of postsecondary schools.

House File 423, an Act relating to participation in secondary school interscholastic sports at the varsity and inferior levels.

House File 532, an Act relating to the administrative functions of the Department of Cultural Affairs, including the Board of Trustees of the State Historical Society of Iowa and the State Records Commission.

House File 645, an Act relating to the regulation of lotteries, including the definition of a lottery, permissible lotteries by commercial organizations, and the prosecution of violators.

House File 700, an Act relating to the Iowa Soybean Association, by providing for its board of directors, market development, and providing for an assessment.

House File 737, an Act relating to the registration and licensing of mortgage bankers and brokers, providing for fees, and providing an effective date.



House File 745, an Act relating to the criminal offense of theft of leased or rented personal property and making penalties applicable.

House File 746, an Act providing procedures for a rural water district to transfer its right to provide water or wastewater service and for dissolution of the district.

House File 754, an Act relating to a homestead exemption waiver notice contained in a written contract affecting agricultural land.

House File 777, an Act relating to testing a person for contagious or infectious disease if the person assaults a person by exchanging or attempting to exchange bodily fluids, and providing a penalty.

House File 781, an Act relating to the establishment of a direct care worker task force.

House File 789, an Act relating to programs and functions under the purview of the Iowa Department of Public Health.

House File 839, an Act providing for the establishment of a technology governance board within the Department of Administrative Service, and making an appropriation.

The above House Files are hereby approved this date.

Sincerely,



Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House



HOUSE FILE 839

AN ACT

PROVIDING FOR THE ESTABLISHMENT OF A TECHNOLOGY GOVERNANCE BOARD WITHIN THE DEPARTMENT OF ADMINISTRATIVE SERVICES, AND MAKING AN APPROPRIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 8A.201, subsection 2, Code 2005, is amended by striking the subsection.

Sec. 2. Section 8A.201, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. "Technology governance board" means the board established in section 8A.204.

Sec. 3. Section 8A.204, Code 2005, is amended by striking the section and inserting in lieu thereof the following:

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 director shall serve as the permanent chair of the board.

d. The technology governance board annually shall elect a vice chair from among the members of the board, by majority vote, to serve a one-year term.

e. A majority of the members of the board shall constitute a quorum.

f. 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 requests for proposals prior to issuance 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.

(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 IowAccess revolving fund created in section 8A.224, notwithstanding contrary provisions of any other law.

5. 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.

Sec. 4. Section 8A.206, subsection 1, Code 2005, is amended to read as follows:

1. The department shall develop, in consultation with the ~~information-technology-council~~ technology governance board, recommended standards for consideration with respect to the procurement of information technology by all participating agencies. It is the intent of the general assembly that information technology standards be established for the purpose of guiding such procurements. Such standards, unless waived by the department, shall apply to all information technology procurements for participating agencies.

Sec. 5. Section 8A.221, subsection 2, paragraph a, subparagraph (1), Code 2005, is amended to read as follows:

(1) Recommend to the ~~information-technology-council~~ technology governance board rates to be charged for access to and for value-added services performed through IowAccess.

Sec. 6. Section 8A.224, Code 2005, is amended to read as follows:

8A.224 IOWACCESS REVOLVING FUND.

1. An IowAccess revolving fund is created in the state treasury. The revolving fund shall be administered by the department and shall consist of moneys collected by the department as fees, moneys appropriated by the general assembly, and any other moneys obtained or accepted by the department for deposit in the revolving fund. The proceeds of the revolving fund are appropriated to and shall be used by the department to maintain, develop, operate, and expand IowAccess consistent with this subchapter, and for the support of activities of the technology governance board pursuant to section 8A.204.

2. The department shall submit an annual report not later than January 31 to the members of the general assembly and the legislative services agency of the activities funded by and expenditures made from the revolving fund during the preceding fiscal year. Section 8.33 does not apply to any moneys in the revolving fund and, notwithstanding section 12C.7, subsection 2, earnings or interest on moneys deposited in the revolving fund shall be credited to the revolving fund.

Sec. 7. TECHNOLOGY GOVERNANCE BOARD FUNDING. Of the funds appropriated pursuant to section 8A.224, an amount not to exceed two hundred fifty thousand dollars may be used by the department of administrative services during the fiscal year beginning July 1, 2005, and ending June 30, 2006, for the support of activities of the technology governance board pursuant to section 8A.204.

Sec. 8. TECHNOLOGY GOVERNANCE BOARD -- TRANSITION -- INITIAL TERMS OF MEMBERSHIP.

1. The information technology council established by section 8A.204, Code 2005, is dissolved.

2. The former public members of the information technology council appointed by the governor may be appointed to the technology governance board created by section 8A.204 to fill the public member positions on that board. The governor may designate the initial length of terms of such members to provide for staggering of terms of representation, pursuant to section 8A.204.

3. Notwithstanding section 8A.204, one-half of the initial terms of membership for agency representatives to the

technology governance board shall be two years, and one-half shall be one year, as designated by the governor, to initiate the staggering of member terms under section 8A.204.

4. Notwithstanding section 8A.204, subsection 2, paragraph "f", the technology governance board shall meet no less than monthly for the one-year period following the appointment of all members.



CHRISTOPHER C. RANTS
Speaker of the House



JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 839, Eighty-first General Assembly.



MARGARET THOMSON
Chief Clerk of the House

Approved April 29, 2005



THOMAS J. VILSACK
Governor