

House File 839 - Enrolled

PAG LIN

HOUSE FILE 839

1 1
1 2
1 3
1 4
1 5
1 6
1 7

AN ACT

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

1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 9

1 10 Section 1. Section 8A.201, subsection 2, Code 2005, is
1 11 amended by striking the subsection.

1 12 Sec. 2. Section 8A.201, Code 2005, is amended by adding
1 13 the following new subsection:

1 14 NEW SUBSECTION. 5A. "Technology governance board" means
1 15 the board established in section 8A.204.

1 16 Sec. 3. Section 8A.204, Code 2005, is amended by striking
1 17 the section and inserting in lieu thereof the following:

1 18 8A.204 TECHNOLOGY GOVERNANCE BOARD == MEMBERS == POWERS
1 19 AND DUTIES.

1 20 1. DEFINITIONS. For purposes of this section, unless the
1 21 context otherwise requires:

1 22 a. "Agency" means a participating agency as defined in
1 23 section 8A.201.

1 24 In addition, the following definitions shall also apply:

1 25 (1) "Large agency" means a state agency with more than
1 26 seven hundred full-time, year-round employees.

1 27 (2) "Medium-sized agency" means a state agency with at
1 28 least seventy or more full-time, year-round employees, but not
1 29 more than seven hundred permanent employees.

1 30 (3) "Small agency" means a state agency with less than
1 31 seventy full-time, year-round employees.

1 32 b. "Board" means the technology governance board.

1 33 c. "Department" means the department of administrative
1 34 services, including the information technology enterprise.

1 35 2. MEMBERSHIP.

2 1 a. The technology governance board is composed of ten
2 2 members as follows:

2 3 (1) The director.

2 4 (2) The director of the department of management, or the
2 5 director's designee.

2 6 (3) Eight members appointed by the governor as follows:

2 7 (a) Three representatives from large agencies.

2 8 (b) Two representatives from medium-sized agencies.

2 9 (c) One representative from a small agency.

2 10 (d) Two public members who are knowledgeable and have
2 11 experience in information technology matters.

2 12 b. (1) Members appointed pursuant to paragraph "a",
2 13 subparagraph (3), shall serve two-year staggered terms. The
2 14 department shall provide, by rule, for the commencement of the
2 15 term of membership for the nonpublic members. The terms of
2 16 the public members shall be staggered at the discretion of the
2 17 governor.

2 18 (2) Sections 69.16, 69.16A, and 69.19 shall apply to the
2 19 public members of the board.

2 20 (3) Public members appointed by the governor are subject
2 21 to senate confirmation.

2 22 (4) Public members appointed by the governor may be
2 23 eligible to receive compensation as provided in section 7E.6.

2 24 (5) Members shall be reimbursed for actual and necessary
2 25 expenses incurred in performance of the members' duties.

2 26 (6) A director, deputy director, or chief financial
2 27 officer of an agency is preferred as an appointed
2 28 representative for each of the agency categories of membership
2 29 pursuant to paragraph "a", subparagraph (3).

2 30 c. The director shall serve as the permanent chair of the
2 31 board.

2 32 d. The technology governance board annually shall elect a
2 33 vice chair from among the members of the board, by majority
2 34 vote, to serve a one-year term.

2 35 e. A majority of the members of the board shall constitute
3 1 a quorum.

3 2 f. Meetings of the board shall be held at the call of the
3 3 chairperson or at the request of three members.

3 4 3. POWERS AND DUTIES OF THE BOARD. The powers and duties
3 5 of the technology governance board as they relate to

3 6 information technology services shall include, but are not
3 7 limited to, all of the following:

3 8 a. On an annual basis, prepare a report to the governor,
3 9 the department of management, and the general assembly
3 10 regarding the total spending on technology for the previous
3 11 fiscal year, the total amount appropriated for the current
3 12 fiscal year, and an estimate of the amount to be requested for
3 13 the succeeding fiscal year for all agencies. The report shall
3 14 include a five-year projection of technology cost savings, an
3 15 accounting of the level of technology cost savings for the
3 16 current fiscal year, and a comparison of the level of
3 17 technology cost savings for the current fiscal year with that
3 18 of the previous fiscal year. This report shall be filed as
3 19 soon as possible after the close of a fiscal year, and by no
3 20 later than the second Monday of January of each year.

3 21 b. Work with the department of management and the state
3 22 accounting enterprise of the department, pursuant to section
3 23 8A.502, to maintain the relevancy of the central budget and
3 24 proprietary control accounts of the general fund of the state
3 25 and special funds to information technology, as those terms
3 26 are defined in section 8.2, of state government.

3 27 c. Develop and approve administrative rules governing the
3 28 activities of the board. The department shall assist in
3 29 development of the rules and shall adopt the rules under the
3 30 department's name.

3 31 d. In conjunction with the department, develop and adopt
3 32 information technology standards pursuant to section 8A.206
3 33 applicable to all agencies.

3 34 e. Make recommendations to the department regarding all of
3 35 the following:

4 1 (1) Technology utility services to be implemented by the
4 2 department or other agencies.

4 3 (2) Improvements to information technology service levels
4 4 and modifications to the business continuity plan for
4 5 information technology operations developed by the department
4 6 pursuant to section 8A.202 for agencies, and to maximize the
4 7 value of information technology investments by the state.

4 8 (3) Technology initiatives for the executive branch.

4 9 f. Review the recommendations of the IowAccess advisory
4 10 council regarding rates to be charged for access to and for
4 11 value-added services performed through IowAccess, pursuant to
4 12 section 8A.221. The board shall report the establishment of a
4 13 new rate of change in the level of an existing rate to the
4 14 department, which shall notify the department of management
4 15 and the legislative services agency regarding the rate
4 16 establishment or change.

4 17 g. Designate advisory groups as appropriate to assist the
4 18 board in all of the following:

4 19 (1) Development and adoption of an executive branch
4 20 strategic technology plan.

4 21 (2) Annual review of technology operating expenses and
4 22 capital investment budgets of agencies by October 1 for the
4 23 following fiscal year, and development of technology costs
4 24 savings projections, accountings, and comparisons.

4 25 (3) Quarterly review of requested modifications to budgets
4 26 of agencies due to funding changes.

4 27 (4) Review and approval of all requests for proposals
4 28 prior to issuance for all information technology devices,
4 29 hardware acquisition, information technology services,
4 30 software development projects, and information technology
4 31 outsourcing for agencies that exceed the greater of a total
4 32 cost of fifty thousand dollars or a total involvement of seven
4 33 hundred fifty agency staff hours.

4 34 (5) Development of a plan and process to improve service
4 35 levels and continuity of business operations, and to maximize
5 1 the value of information technology investments.

5 2 (6) Formation of internal teams to address cost-savings
5 3 initiatives, including consolidation of information technology
5 4 and related functions among agencies, as enacted by the
5 5 technology governance board.

5 6 (7) Development of information technology standards.

5 7 (8) Development of rules, processes, and procedures for
5 8 implementation of aggregate purchasing among agencies.

5 9 4. FUNDING. Activities of the technology governance board
5 10 shall be funded by the information technology enterprise of
5 11 the department, through the IowAccess revolving fund created
5 12 in section 8A.224, notwithstanding contrary provisions of any
5 13 other law.

5 14 5. RULES. The department shall adopt rules as necessary
5 15 to administer this section, which shall at a minimum,
5 16 consistent with section 8A.221, establish a process for the

5 17 submission to the board of proposed fees for value-added
5 18 services by participating agencies and other governmental
5 19 entities, as well as the board's submission of recommendations
5 20 regarding such fees to the department of management.

5 21 Sec. 4. Section 8A.206, subsection 1, Code 2005, is
5 22 amended to read as follows:

5 23 1. The department shall develop, in consultation with the
5 24 ~~information technology council~~ technology governance board,
5 25 recommended standards for consideration with respect to the
5 26 procurement of information technology by all participating
5 27 agencies. It is the intent of the general assembly that
5 28 information technology standards be established for the
5 29 purpose of guiding such procurements. Such standards, unless
5 30 waived by the department, shall apply to all information
5 31 technology procurements for participating agencies.

5 32 Sec. 5. Section 8A.221, subsection 2, paragraph a,
5 33 subparagraph (1), Code 2005, is amended to read as follows:

5 34 (1) Recommend to the ~~information technology council~~
5 35 technology governance board rates to be charged for access to
6 1 and for value-added services performed through IowAccess.

6 2 Sec. 6. Section 8A.224, Code 2005, is amended to read as
6 3 follows:

6 4 8A.224 IOWACCESS REVOLVING FUND.

6 5 1. An IowAccess revolving fund is created in the state
6 6 treasury. The revolving fund shall be administered by the
6 7 department and shall consist of moneys collected by the
6 8 department as fees, moneys appropriated by the general
6 9 assembly, and any other moneys obtained or accepted by the
6 10 department for deposit in the revolving fund. The proceeds of
6 11 the revolving fund are appropriated to and shall be used by
6 12 the department to maintain, develop, operate, and expand
6 13 IowAccess consistent with this subchapter, and for the support
6 14 of activities of the technology governance board pursuant to
6 15 section 8A.204.

6 16 2. The department shall submit an annual report not later
6 17 than January 31 to the members of the general assembly and the
6 18 legislative services agency of the activities funded by and
6 19 expenditures made from the revolving fund during the preceding
6 20 fiscal year. Section 8.33 does not apply to any moneys in the
6 21 revolving fund and, notwithstanding section 12C.7, subsection
6 22 2, earnings or interest on moneys deposited in the revolving
6 23 fund shall be credited to the revolving fund.

6 24 Sec. 7. TECHNOLOGY GOVERNANCE BOARD FUNDING. Of the funds
6 25 appropriated pursuant to section 8A.224, an amount not to
6 26 exceed two hundred fifty thousand dollars may be used by the
6 27 department of administrative services during the fiscal year
6 28 beginning July 1, 2005, and ending June 30, 2006, for the
6 29 support of activities of the technology governance board
6 30 pursuant to section 8A.204.

6 31 Sec. 8. TECHNOLOGY GOVERNANCE BOARD == TRANSITION ==
6 32 INITIAL TERMS OF MEMBERSHIP.

6 33 1. The information technology council established by
6 34 section 8A.204, Code 2005, is dissolved.

6 35 2. The former public members of the information technology
7 1 council appointed by the governor may be appointed to the
7 2 technology governance board created by section 8A.204 to fill
7 3 the public member positions on that board. The governor may
7 4 designate the initial length of terms of such members to
7 5 provide for staggering of terms of representation, pursuant to
7 6 section 8A.204.

7 7 3. Notwithstanding section 8A.204, one-half of the initial
7 8 terms of membership for agency representatives to the
7 9 technology governance board shall be two years, and one-half
7 10 shall be one year, as designated by the governor, to initiate
7 11 the staggering of member terms under section 8A.204.

7 12 4. Notwithstanding section 8A.204, subsection 2, paragraph
7 13 "f", the technology governance board shall meet no less than
7 14 monthly for the one-year period following the appointment of
7 15 all members.

7 16

7 17

7 18

CHRISTOPHER C. RANTS
Speaker of the House

7 19

7 20

7 21

7 22

JOHN P. KIBBIE
President of the Senate

7 23

7 24

7 25

7 26

7 27

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

7 28
7 29
7 30
7 31
7 32
7 33
7 34
7 35
8 1
8 2
8 3

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2005

THOMAS J. VILSACK
Governor