

APR 5 2005  
APPROPRIATIONS CALENDAR

HOUSE FILE 839  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HF 792)  
(SUCCESSOR TO HSB 246)

Passed House, Date 4-13-05 Passed Senate, Date 4-21-05  
Vote: Ayes 99 Nays 0 Vote: Ayes 48 Nays 1  
Approved 4-29-05

A BILL FOR

1 An Act providing for the establishment of a technology governance  
2 board within the department of administrative services, and  
3 making an appropriation.

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

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

HF 839

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

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

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

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

9 8A.204 TECHNOLOGY GOVERNANCE BOARD -- MEMBERS -- POWERS  
10 AND DUTIES.

11 1. DEFINITIONS. For purposes of this section, unless the  
12 context otherwise requires:

13 a. "Agency" means a participating agency as defined in  
14 section 8A.201.

15 In addition, the following definitions shall also apply:

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

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

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

23 b. "Board" means the technology governance board.

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

26 2. MEMBERSHIP.

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

29 (1) The director.

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

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

33 (a) Three representatives from large agencies.

34 (b) Two representatives from medium-sized agencies.

35 (c) One representative from a small agency.

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

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

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

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

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

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

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

21 c. The director shall serve as the permanent chair of the  
22 board.

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

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

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

30 3. POWERS AND DUTIES OF THE BOARD. The powers and duties  
31 of the technology governance board as they relate to  
32 information technology services shall include, but are not  
33 limited to, all of the following:

34 a. On an annual basis, prepare a report to the governor,  
35 the department of management, and the general assembly

1 regarding the total spending on technology for the previous  
2 fiscal year, the total amount appropriated for the current  
3 fiscal year, and an estimate of the amount to be requested for  
4 the succeeding fiscal year for all agencies. The report shall  
5 include a five-year projection of technology cost savings, an  
6 accounting of the level of technology cost savings for the  
7 current fiscal year, and a comparison of the level of  
8 technology cost savings for the current fiscal year with that  
9 of the previous fiscal year. This report shall be filed as  
10 soon as possible after the close of a fiscal year, and by no  
11 later than the second Monday of January of each year.

12 b. Work with the department of management and the state  
13 accounting enterprise of the department, pursuant to section  
14 8A.502, to maintain the relevancy of the central budget and  
15 proprietary control accounts of the general fund of the state  
16 and special funds to information technology, as those terms  
17 are defined in section 8.2, of state government.

18 c. Develop and approve administrative rules governing the  
19 activities of the board. The department shall assist in  
20 development of the rules and shall adopt the rules under the  
21 department's name.

22 d. In conjunction with the department, develop and adopt  
23 information technology standards pursuant to section 8A.206  
24 applicable to all agencies.

25 e. Make recommendations to the department regarding all of  
26 the following:

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

29 (2) Improvements to information technology service levels  
30 and modifications to the business continuity plan for  
31 information technology operations developed by the department  
32 pursuant to section 8A.202 for agencies, and to maximize the  
33 value of information technology investments by the state.

34 (3) Technology initiatives for the executive branch.

35 f. Review the recommendations of the IowAccess advisory

1 council regarding rates to be charged for access to and for  
2 value-added services performed through IowaAccess, pursuant to  
3 section 8A.221. The board shall report the establishment of a  
4 new rate of change in the level of an existing rate to the  
5 department, which shall notify the department of management  
6 and the legislative services agency regarding the rate  
7 establishment or change.

8 g. Designate advisory groups as appropriate to assist the  
9 board in all of the following:

10 (1) Development and adoption of an executive branch  
11 strategic technology plan.

12 (2) Annual review of technology operating expenses and  
13 capital investment budgets of agencies by October 1 for the  
14 following fiscal year, and development of technology costs  
15 savings projections, accountings, and comparisons.

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

18 (4) Review and approval of all requests for proposals  
19 prior to issuance for all information technology devices,  
20 hardware acquisition, information technology services,  
21 software development projects, and information technology  
22 outsourcing for agencies that exceed the greater of a total  
23 cost of fifty thousand dollars or a total involvement of seven  
24 hundred fifty agency staff hours.

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

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

32 (7) Development of information technology standards.

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

35 4. FUNDING. Activities of the technology governance board

1 shall be funded by the information technology enterprise of  
2 the department, through the IowAccess revolving fund created  
3 in section 8A.224, notwithstanding contrary provisions of any  
4 other law.

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

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

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

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

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

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

30 8A.224 IOWACCESS REVOLVING FUND.

31 1. An IowAccess revolving fund is created in the state  
32 treasury. The revolving fund shall be administered by the  
33 department and shall consist of moneys collected by the  
34 department as fees, moneys appropriated by the general  
35 assembly, and any other moneys obtained or accepted by the

1 department for deposit in the revolving fund. The proceeds of  
2 the revolving fund are appropriated to and shall be used by  
3 the department to maintain, develop, operate, and expand  
4 lowAccess consistent with this subchapter, and for the support  
5 of activities of the technology governance board pursuant to  
6 section 8A.204.

7 2. The department shall submit an annual report not later  
8 than January 31 to the members of the general assembly and the  
9 legislative services agency of the activities funded by and  
10 expenditures made from the revolving fund during the preceding  
11 fiscal year. Section 8.33 does not apply to any moneys in the  
12 revolving fund and, notwithstanding section 12C.7, subsection  
13 2, earnings or interest on moneys deposited in the revolving  
14 fund shall be credited to the revolving fund.

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

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

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

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

33 3. Notwithstanding section 8A.204, one-half of the initial  
34 terms of membership for agency representatives to the  
35 technology governance board shall be two years, and one-half

1 shall be one year, as designated by the governor, to initiate  
2 the staggering of member terms under section 8A.204.

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

7 EXPLANATION

8 This bill establishes a new technology governance board  
9 within the department of administrative services.

10 The bill provides that the technology governance board  
11 shall be comprised of 10 members, including eight  
12 representatives from state agencies of designated sizes and  
13 two public members. Six agency representatives and the two  
14 public members are appointed by the governor for two-year  
15 terms. The director of the department of administrative  
16 services is designated as the permanent chairperson of the  
17 board.

18 The bill specifies the duties of the board to include  
19 preparing an annual report for the governor and the general  
20 assembly regarding the total amount spent on technology for  
21 the previous fiscal year, the total amount appropriated for  
22 technology for the current fiscal year, and an estimate of the  
23 amount to be requested for technology for the succeeding  
24 fiscal year for all agencies.

25 The bill provides that the report shall include a five-year  
26 projection of technology cost savings, an accounting of the  
27 level of technology cost savings for the current fiscal year,  
28 and a comparison of the level of technology cost savings for  
29 the current fiscal year with that of the previous fiscal year.  
30 The bill adds developing technology cost savings projections,  
31 accountings, and comparisons to the list of areas in which  
32 advisory groups shall provide assistance to the board. The  
33 board is authorized to develop and approve administrative  
34 rules governing the board to be adopted under the name of the  
35 department of administrative services. The board is also

1 authorized to develop and adopt information technology  
2 standards applicable to all participating agencies, and to  
3 designate advisory groups as necessary and appropriate to  
4 assist the board.

5 The bill provides that the activities of the board are to  
6 be funded out of the IowAccess revolving fund. The bill  
7 provides that for FY 2005-2006, of the funds appropriated for  
8 IowAccess, an amount not to exceed \$250,000 may be used by the  
9 department of administrative services to support the  
10 activities of the technology governance board.

11 The bill also eliminates the current information technology  
12 council and transfers most of its duties to the new technology  
13 governance board. The bill provides for transitional  
14 provisions relating to formation of the board. These include  
15 making the current public members of the information  
16 technology council appointed by the governor eligible to be  
17 appointed to the new technology governance board to fill the  
18 public member positions, initial terms of membership, and  
19 frequency of meetings during the one-year period following the  
20 appointment of all members.

21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Chair: Roberts  
Bukta      Raecker  
Lensing    T. Taylor  
Paulsen    Tomenga

SUCCESS  
SF 839 HSB 246  
STATE GOVERNMENT

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL  
BY CHAIRPERSON ELGIN)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing for the establishment of a technology governance  
2 board within the department of administrative services, and  
3 making an appropriation.

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

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

1 Section 1. NEW SECTION. 8A.104A CHIEF INFORMATION  
2 OFFICER.

3 1. The person designated as chief information officer for  
4 the state shall be professionally qualified by education and  
5 have no less than five years' experience in the fields of  
6 information technology and financial management.

7 2. a. The chief information officer shall be designated  
8 without regard to political affiliation.

9 b. The chief information officer shall not be a member of  
10 any local, state, or national committee of a political party;  
11 or an officer or member of a committee in any partisan  
12 political club or organization; or hold or be a candidate for  
13 a paid elective public office.

14 Sec. 2. Section 8A.201, subsection 2, Code 2005, is  
15 amended by striking the subsection.

16 Sec. 3. Section 8A.201, Code 2005, is amended by adding  
17 the following new subsection:

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

20 Sec. 4. Section 8A.204, Code 2005, is amended by striking  
21 the section and inserting in lieu thereof the following:

22 8A.204. TECHNOLOGY GOVERNANCE BOARD -- MEMBERS -- POWERS  
23 AND DUTIES.

24 1. DEFINITIONS. For purposes of this section, unless the  
25 context otherwise requires:

26 a. "Agency" means a participating agency as defined in  
27 section 8A.201.

28 In addition, the following definitions shall also apply:

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

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

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

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

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

4 2. MEMBERSHIP.

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

7 (1) The director.

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

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

11 (a) Three representatives from large agencies.

12 (b) Two representatives from medium-sized agencies.

13 (c) One representative from a small agency.

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

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

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

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

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

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

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

34 c. The director shall serve as the permanent chair of the  
35 board.

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

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

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

8 3. POWERS AND DUTIES OF THE BOARD. The powers and duties  
9 of the technology governance board as they relate to  
10 information technology services shall include, but are not  
11 limited to, all of the following:

12 a. On an annual basis, prepare a report to the governor,  
13 the department of management, and the general assembly  
14 regarding the total spending on technology for the previous  
15 fiscal year, the total amount appropriated for the current  
16 fiscal year, and an estimate of the amount to be requested for  
17 the succeeding fiscal year for all agencies. This report  
18 shall be filed as soon as possible after the close of a fiscal  
19 year, and by no later than the second Monday of January of  
20 each year.

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

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

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

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

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

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

8 (3) Technology initiatives for the executive branch.

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

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

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

21 (2) Annual review of technology operating expenses and  
22 capital investment budgets of agencies by October 1 for the  
23 following fiscal year.

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

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

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

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

5 (7) Development of information technology standards.

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

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

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

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

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

31 Sec. 6. Section 8A.221, subsection 2, paragraph a,  
32 subparagraph (1), Code 2005, is amended to read as follows:

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

1     Sec. 7. Section 8A.224, Code 2005, is amended to read as  
2 follows:

3     8A.224 IOWACCESS REVOLVING FUND.

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

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

23     Sec. 8. FUNDING FOR IOWACCESS.

24     1. Notwithstanding section 321A.3, subsection 1, for the  
25 fiscal year beginning July 1, 2005, and ending June 30, 2006,  
26 the first \$1,000,000 collected and transferred by the  
27 department of transportation to the treasurer of state with  
28 respect to the fees for transactions involving the furnishing  
29 of a certified abstract of a vehicle operating record under  
30 section 321A.3, subsection 1, shall be transferred to the  
31 IowAccess revolving fund established by section 8A.224 and  
32 administered by the department of administrative services for  
33 the purposes of developing, implementing, maintaining, and  
34 expanding electronic access to government records, and for the  
35 support of activities of the technology governance board as

1 provided by law.

2 2. All fees collected with respect to transactions  
3 involving IowAccess shall be deposited in the IowAccess  
4 revolving fund and shall be used only for the support of  
5 IowAccess projects, and for support of activities of the  
6 technology governance board pursuant to section 8A.204.

7 Sec. 9. TECHNOLOGY GOVERNANCE BOARD -- TRANSITION --  
8 INITIAL TERMS OF MEMBERSHIP.

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

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

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

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

27 EXPLANATION

28 This bill establishes a new technology governance board  
29 within the department of administrative services.

30 The bill establishes qualification criteria for the  
31 position of chief information officer for the state, which  
32 shall include being professionally qualified by education and  
33 having no less than five years' experience in the fields of  
34 information technology and financial management. The bill  
35 provides that the chief information officer shall be

1 designated without regard to political affiliation, and that  
2 the chief information officer shall not be a member of a  
3 committee of a political party, partisan political club or  
4 organization, or hold or be a candidate for a paid elective  
5 public office. Code section 8A.104 currently provides that  
6 the director of the department of administrative services  
7 shall serve as the chief information officer for the state.

8 The bill provides that the technology governance board  
9 shall be comprised of 10 members, including eight  
10 representatives from state agencies of designated sizes and  
11 two public members. Six agency representatives and the two  
12 public members are appointed by the governor for two-year  
13 terms. The director of the department of administrative  
14 services is designated as the permanent chairperson of the  
15 board.

16 The bill specifies the duties of the board to include  
17 preparing an annual report for the governor and the general  
18 assembly regarding the total amount spent on technology for  
19 the previous fiscal year, the total amount appropriated for  
20 technology for the current fiscal year, and an estimate of the  
21 amount to be requested for technology for the succeeding  
22 fiscal year for all agencies. The board is authorized to  
23 develop and approve administrative rules governing the board  
24 to be adopted under the name of the department of  
25 administrative services. The board is also authorized to  
26 develop and adopt information technology standards applicable  
27 to all participating agencies, and to designate advisory  
28 groups as necessary and appropriate to assist the board.

29 The bill provides that the activities of the board are to  
30 be funded out of the IowAccess revolving fund. The bill  
31 provides that for FY 2005-2006, the first \$1 million collected  
32 and transferred by the department of transportation to the  
33 treasurer of state with respect to the fees for transactions  
34 involving the furnishing of a certified abstract of a vehicle  
35 operating record under Code section 321A.3 shall be

1 transferred to the IowAccess revolving fund for the purposes  
2 of developing, implementing, maintaining, and expanding  
3 electronic access to government records, and for the support  
4 of activities of the technology governance board. The bill  
5 provides that fees collected with respect to transactions  
6 involving IowAccess shall be deposited in the IowAccess  
7 revolving fund and shall be used only for the support of  
8 IowAccess projects, and for support of activities of the  
9 technology governance board.

10 The bill also eliminates the current information technology  
11 council and transfers most of its duties to the new technology  
12 governance board. The bill provides for transitional  
13 provisions relating to formation of the board. These include  
14 making the current public members of the information  
15 technology council appointed by the governor eligible to be  
16 appointed to the new technology governance board to fill the  
17 public member positions, initial terms of membership, and  
18 frequency of meetings during the one-year period following the  
19 appointment of all members.

20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

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 4/29, 2005

---

THOMAS J. VILSACK  
Governor