

**JOINT COMMITTEE ON TECHNOLOGY**

**May 7, 1997 Hearing Room D**

**4:00 PM Tapes 57-A, 58-A, and 57-B (up until tape count 260)**

**MEMBERS PRESENT:**

**Sen. Dave Nelson, Co-Chair**

**Rep. Ron Adams, Co-Chair**

**Sen. Verne Duncan**

**Sen. Bill Dwyer**

**Sen. Jeannette Hamby**

**Rep. Jim Hill**

**Rep. Anitra Rasmussen**

**MEMBER EXCUSED:**

**Rep. Tom Brian**

**Rep. George Eighmey**

**STAFF PRESENT:**

**Julie Neburka, Administrator**

**Coben Tistadt, Administrative Support**

**MEASURE/ISSUES HEARD:**

**HB 2903 - Work Session**

**HB 3625 - Work Session**

**These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 57, A</b>		
007	Chair Adams	Opens meeting at 4:02 PM. Opens public hearing on HB 2903.

**HB 2903 -  
WORK  
SESSION**

024	Barbara Jensen	Department of Administrative Services Information Resource Management Division. Submits written materials ( <b>EXHIBIT A</b> ). Mentions coordination with agencies. States that the statewide assessment will be available in a couple of weeks. Talks about the -2 amendments ( <b>EXHIBIT B</b> ). Gives section-by-section analysis.
047	Rep. Hill	Asks why section 3 is constructed in policy rather than in statute.
052	Jensen	Answers that it was modeled after the state's asbestos program.
056	Sen. Dwyer	Notes that subsections 1 and 2 use a "shall."
061	Rep. Hill	Asks if the amendments carry the weight of law. States that he doesn't want any "wiggle room."
074	Jensen	States that the bill is a stagesetter and mentions that each agency plays a role.
076	Rep. Hill	Asks what happens if an agency is unwilling to participate.
103	Sen. Dwyer	Suggests inserting "the legislative assembly directs."
109	Chair Adams	Asks Rep. Hill if he is happy with that.
114	Sen. Duncan	Asks what authority DAS has over other agencies.
118	Jensen	Mentions that that authority was left out and that further amendments could address that issue.
124	Sen. Duncan	Mentions that although the governor can fire the directors of most state agencies, he can't fire the secretary of the state, the state superintendent for schools, and the state treasurer.
133	Chair Adams	Notes that agencies' budgets go through DAS. Opines that the agencies will be delighted with this legislation.
145	Sen. Duncan	Notes difficulties in directing agencies through legislation.
152	Rep. Hill	Expresses uncertainty with this type of legislation.
160	Sen. Dwyer	Suggests replacing "goal" with "policy."
162	Rep. Hill	Suggests removing the preamble, sections 3-6.
168	Sen. Dwyer	Agrees.
170	Rep. Rasmussen	Asks where are the "teeth" punishing non-compliance.
181	Rep. Hill	Notes that section 3 doesn't allow litigation for not carrying out the bill's intentions.
190	Chair Adams	Suggests leaving out lines 3, 4, and 5, and that after "change" adding "the legislative assembly directs."
194	Rep. Hill	Responds that that would dilute what follows.

200	Chair Adams	States that they need the preamble to get to section 3.
208	Rep. Hill	Suggests inserting a "where as" in front of the enacting clause.
220	Jensen	States that she will share Rep. Hill's concern with the Department of Justice.
226	Rep. Hill	Prefers leaving section 2 intact. States that the amendment's language doesn't give sufficient legal authority.
252	Jensen	States that "the legislative assembly directs" would be sufficient.
256	Rep. Hill	States that he is looking for definite language telling agencies to create the Y2K Corps.
288	Sen. Duncan	States that often policy language is ignored, but that this situation is different in that there is an impending problem and that agencies will be willing to do this.
305	Sen. Dwyer	States that the sentence "the successful operation of state information technology systems through the millennium change" doesn't make sense.
325	Chair Adams	Gives reasons they amended section 2 of the original bill. States that removing lines 3, 4, and 5 and adding that the "legislative assembly directs."
347	Rep. Hill	States that he would be satisfied with a definite statement that agencies will have to follow this.
349	Sen. Dwyer	Suggests changes "goal" to "intent."
355	Sen. Duncan	Asks if they anticipate difficulties with the agencies on this.
362	Jensen	Answers that assessments have been ahead of schedule.
367	Julie Pearson	DAS IRMD. Opines that agencies will want to participate in the program.
380	Sen. Duncan	Asks why they are worried about being proscriptive when agencies will be willing.
394	Sen. Dwyer	States that the intent of the bill is good and that the committee will have to go on "faith" that it will be implemented.
400	Chair Adams	Suggests changing "intent" to "goal" and stating "the legislative assembly directs."
<b>TAPE 58, A</b>		
010	Rep. Hill	Mentions that SB 994 said "shall" as well and that agencies chose not to follow its mandates.
023	Sen. Nelson	<b>MOTION: Moves to adopt the HB 2903-2 amendments dated 5/6/97 and that the measure be FURTHER AMENDED on page 2, line 3, by changing "goal" to "intent" and on page 2, line 5, by deleting "It is, therefore, the policy of Legislative Assembly that:" and adding "The Legislative Assembly directs that:".</b>
030	Rep. Rasmussen	Points out that it is the policy of the committee that they have the amendments in LC form before they vote.

034	Chair Adams	Responds that they have flexibility in that area.
046	Neburka	States that the committee can only amend an amendment once.
054	Chair Adams	Asks Sen. Nelson to withdraw his motion.
059	Sen. Dwyer	States that he has never heard of such a rule.
065	Chair Adams	States the intention of the bill.
080	Sen. Duncan	Asks if the bill will be referred to Ways and Means.
083	Chair Adams	Answers that they have the option of sending it to Ways and Means after it leaves the Senate floor. Notes that the governor has \$10 million in his budget for the year 2000 project.
094	Rep. Rasmussen	Emphasizes that the bill is a critical piece of legislation.
108	Sen. Hamby	Asks the witness if she is comfortable that members of the corp will have the requisite competency.
116	Jensen	Answers that the students will be screened for competency
126	Sen. Hamby	Asks if director has flexibility if the possibility of hiring greater expertise presents itself.
132	Jensen	Answers yes.
142	Diane Lindsley	DAS IRMD. States that "manpower" is the problem, and that they don't need top echelon employees.
150	Pearson	States that they would hire "experts" to serve as analysts.
158	Sen. Dwyer	Supports the legislation.
162	Jensen	Suggests that the state is breaking ground with this legislation.
190		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 2 - Brian, Eighmey</b>
	<b>Chair</b>	<b>The motion CARRIES.</b>
193	<b>Chair Adams</b>	<b>MOTION: Moves HB 2903 to the floor with a DO PASS AS AMENDED recommendation.</b>
196	Chair Adams	Asks for clarification of the handout.
200	Jensen	Explains <b>EXHIBIT A, pp. 2, 3.</b>
230	Chair Adams	Explains the program's payscale. Explains the contractual arrangements. States that some agencies will wait to participate until they see success. States that the agency pays for the conversion process. Notes that the major computer users in the state all support the bill.

292	Sen. Duncan	Asks if the retirees are highly qualified.
296	Pearson	Answers that there will be an assessment program.
308	Chair Adams	States that they are doing this at 40 cents on the dollar.
313	Sen. Hamby	Notes that a "student" isn't defined. Asks if there is anything preventing someone who has graduated from participating.
330	Pearson	Answers no, that they deliberately left that open.
336	Chair Adams	States that the emphasis on students was his idea.
344	Sen. Dwyer	States that specifying "college students" limits the program's ability to attract qualified individuals.
370	Chair Adams	States that an agency can request that individual be allowed to go through the training.
382	Sen. Dwyer	Anticipates that someone could, under the bill, argue that an individual isn't a college student and so shouldn't be allowed to participate.
393	Pearson	Notes the concern that someone who is currently working won't be able to participate. Suggests that under the bill that person would be allowed to participate.
402	Sen. Dwyer	Suggests deleting "college students" and adding "persons."
<b>TAPE 57, B</b>		
011	Sen. Duncan	Asks if a qualified individual who isn't retired can participate.
015	Pearson	Answers that the idea was to attract retired individuals familiar with the state systems.
026	Chair Adams	States that the bill directs DAS and not the individual agencies. Notes that there is no guarantee that the individuals will be hired by an agency subsequent to training. Notes that individuals can be hired without going through this program.
045	Sen. Duncan	Asks if the committee has to be so proscriptive. Suggests leaving the "internal workings" to the agencies.
058	Sen. Dwyer	States that they need to specify "persons" instead of "college students."
068	Sen. Dwyer	<b>MOTION: Moves to ADOPT HB 2903-2 amendments dated 5/6/97 and that the measure be FURTHER AMENDED on page 2, line 30, by changing "college students" to "persons".</b>
081	Chair Adams	<b>MOTION: Moves HB 2903 to the floor with a DO PASS AS AMENDED recommendation.</b>
082		<b>VOTE: 7-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 2 - Brian, Eighmey</b>

	<b>Chair</b>	<b>The motion CARRIES.</b> <b>REP. ADAMS AND SEN. NELSON will lead the discussions on their respective floors.</b>
092	Chair Adams	States that he will talk to the co-chairs of the Ways and Means Committee.
095	Sen. Hamby	Notes that there is a rule prohibiting a bill being carried on the Senate floor without a fiscal impact statement. Suggests sending the bill to the House floor and then referring it to the Ways and Means Committee.
098	Chair Adams	Closes work session on HB 2903, opens work session on HB 3625.
<b><u>HB 3625 - WORK SESSION</u></b>		
115	Larry Gellert	Submits written testimony and written materials ( <b>EXHIBIT C</b> ). Reads written testimony.
165	Gellert	Explains written materials. Submits written testimony from David Shirk ( <b>EXHIBIT D</b> ). Mentions the amount of paper currently being stored.
208	Rep. Floyd Prozanski	House District #40. Asks if there are further amendments needed.
220	Chair Adams	Answers no, but asks for information from the State Archivist. Closes work session on HB 3625. Opens informational hearing on DMV re-engineering.

Submitted By, Reviewed By,

Coben Tistadt, Julie Neburka,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - HB 2903, written testimony, Barbara Jensen, 6 pp.**

**B - HB 2903, LC amendments, staff, 3 pp.**

**C - HB 3625, written testimony, Larry Gellert, 13 pp.**

**D - HB 3625, written testimony, David Shirk, 2 pp.**

**JOINT COMMITTEE ON TECHNOLOGY**

**May 7, 1997 Hearing Room HR D**

**5:00 PM Tapes 57-B (starting at tape count 260), 58-B, 59, 60**

**MEMBERS PRESENT:**

**Rep. Ron Adams, Co-Chair**

**Sen. Verne Duncan**

**Rep. Jim Hill**

**Rep. Anitra Rasmussen**

**MEMBER EXCUSED:**

**Sen. Dave Nelson, Co-Chair**

**Sen. Bill Dwyer**

**Sen. Jeannette Hamby**

**Rep. Tom Brian**

**Rep. George Eighmey**

**INVITED MEMBERS:**

**Sen. Marilyn Shannon**

**Rep. Jane Lokan**

**STAFF PRESENT:**

**Julie Neburka, Administrator**

**Coben Tistadt, Administrative Support**

**MEASURE/ISSUES HEARD:**

**Informational Hearing on DMV Reengineering**

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**Submitted By, Reviewed By,**

**Coben Tistadt, Julie Neburka,**

**Administrative Support Administrator**

**EXHIBIT SUMMARY**

**A - DMV Reengineering, slides, Jan Curry, 12 pp.**