

1 H.371

2 Introduced by Representatives Sweaney of Windsor, Cole of Burlington,
3 Higley of Lowell, Hubert of Milton, LaClair of Barre Town,
4 Martin of Wolcott, Scheuermann of Stowe, Townsend of
5 South Burlington, Young of Glover, and Zagar of Barnard

6 Referred to Committee on

7 Date:

8 Subject: General Assembly; information technology

9 Statement of purpose of bill as introduced: This bill proposes to create a Joint
10 Legislative Information Technology Oversight Committee.

11 An act relating to creating a Joint Legislative Information Technology
12 Oversight Committee

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 2 V.S.A. chapter 29 is added to read:

15 CHAPTER 29. JOINT LEGISLATIVE INFORMATION

16 TECHNOLOGY OVERSIGHT COMMITTEE

17 § 990. JOINT LEGISLATIVE INFORMATION TECHNOLOGY

18 OVERSIGHT COMMITTEE

19 (a) Creation. There is created a Joint Legislative Information Technology
20 Oversight Committee (“the Committee”) to examine, oversee, and improve the

1 procurement and provision of information technology (IT) related services by
2 and within the Executive and Judicial Branches of State government.

3 (b) Membership. The Committee shall be composed of the following eight
4 members:

5 (1) four current members of the House of Representatives, not all from
6 the same political party, who shall be appointed by the Speaker of the
7 House; and

8 (2) four current members of the Senate, not all from the same political
9 party, who shall be appointed by the Committee on Committees.

10 (c) Powers and duties

11 (1) The Committee shall:

12 (A) Exercise oversight over how IT-related services are procured,
13 managed, and provided by and within the Executive, Legislative, and Judicial
14 Branches of State Government, including:

15 (i) evaluating whether the departments, agencies, and persons
16 within the Executive, Legislative, and Judicial Branches that are responsible
17 for procuring, providing, and managing IT services are doing so in an effective,
18 timely, efficient, and cost-effective manner;

19 (ii) examining and evaluating:

20 (I) the strategic plan of the Department of Information and
21 Innovation;

- 1 (II) the development of new and proposed IT projects;
- 2 (III) the process for requesting proposals, selecting vendors,
3 and negotiating contracts;
- 4 (IV) the management and supervision over new and ongoing
5 projects;
- 6 (V) whether projects are completed on time and on budget;
- 7 (VI) whether the Executive, Legislative, and Judicial Branches
8 are effective in obtaining the high quality IT services in a cost-effective
9 manner; and
- 10 (VII) the development and allocation of staff, budgets, and
11 resources;
- 12 (iii) evaluating which projects and programs are the most
13 effective, timely, efficient, and cost-effective, and the reasons why;
- 14 (iv) determining if there are any deficiencies in the development
15 of projects, the procurement of services, and the oversight over new and
16 ongoing projects, the reasons for those deficiencies, and how those deficiencies
17 can be improved; and
- 18 (v) comparing the performance of the Executive and Judicial
19 Branches to the public sector and to private industry.
- 20 (B) Suggest improvements in how the Executive, Legislative, and
21 Judicial Branches procure, provide, and manage IT projects and services.

1 (C) At least annually, report on the Committee's activities, findings,
2 and recommendations to the General Assembly.

3 (2) The Committee shall:

4 (A) examine any IT project, proposal, contract, and service with an
5 estimated cost of greater than \$2,000,000.00, including taking testimony and
6 reviewing information and documents concerning the development, contracting
7 and award process, oversight and management, and any other aspect of the
8 project, proposal, contract, and service;

9 (B) review and make recommendations to the House and Senate
10 Committees on Appropriations, the House Committee on Corrections and
11 Institutions, and the Senate Committee on Institutions regarding budget
12 proposals and appropriations relating to information technology;

13 (C) take any other action as necessary to fulfill the Committee's
14 duties.

15 (d) Assistance. The Committee shall have the administrative, technical,
16 policy, and legal assistance of the Office of Legislative Council and the Joint
17 Fiscal Office. The Committee may retain consultants or hire persons to
18 provide additional assistance as necessary.

19 (e) Data and records. The Executive and Judicial Branches and all persons
20 within the Executive and Judicial Branches shall provide testimony,
21 information, documents, data, and records to the Committee upon request.

1 Notwithstanding any other provision of law to the contrary, the Committee
2 members and staff, and other persons hired by the Committee may receive
3 records that are confidential, privileged, or the release of which is restricted
4 under law. Any such records shall be exempt from public inspection and
5 copying, shall be kept confidential by the Committee members, staff, and other
6 persons hired by the Committee, and shall not be disclosed.

7 (f) Retaliation. No person who is an employee of the State of Vermont or
8 of any State, local, county, or municipal department, agency, or person, and
9 who testifies before, supplies information to, or cooperates with the Committee
10 shall be subject to retaliation by his or her employer. Retaliation shall include
11 job termination, demotion in rank, reduction in pay, alteration in duties and
12 responsibilities, transfer, or a negative job performance evaluation based on the
13 person's having testified before, supplied information to, or cooperated with
14 the Committee.

15 (g) Meetings.

16 (1) One of the members of the House of Representatives, to be
17 designated by the Speaker, shall call the first meeting of the Committee to
18 occur on or before April 15, 2015.

19 (2) The Committee shall select a Chair, Vice Chair, and Secretary from
20 among its members at the first meeting. The Chair and Vice Chair shall rotate
21 biennially between the House and the Senate members.

1 (3) A majority of the membership shall constitute a quorum.

2 (4) The Committee shall meet at the call of the Chair, but not less than
3 three times when the General Assembly is in session and not less than six times
4 during adjournment.

5 (h) Reimbursement. For attendance at meetings during adjournment of the
6 General Assembly, members of the Committee shall be entitled to per diem
7 compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406.

8 (i) Appropriation. In fiscal year 2017:

9 (1) the sum of \$10,000.00 is appropriated for per diem compensation
10 and reimbursement; and

11 (2) the sum of \$100,000.00 is appropriated to the Committee to retain
12 consultants or hire persons to provide assistance.

13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on passage.