



# Legislative Branch Computer System Planning Council

## 60th Montana Legislature

**MEMBERSHIP**  
SUSAN FOX, CHAIRPERSON  
SEN. JOHN BRUEGGEMAN  
REP. LLEW JONES

**MEMBERSHIP**  
MARILYN MILLER  
CLAY SCOTT  
SCOTT SEACAT  
CLAYTON SCHENCK  
DICK CLARK

**COMMITTEE STAFF**  
HENRY C. TRENK  
DIRECTOR OLIT, LSD

## MINUTES

May 5, 2008

Room 102, Capitol Building  
Helena, Montana

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. The minutes are accompanied by an audio recording. For each action listed, the minutes indicate the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time may be used to locate the activity on the audio recording.

An electronic copy of these minutes and the audio recording may be accessed from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side column of the home page, select *Committees*, then *Interim*, and then the appropriate committee.

To view the minutes, locate the meeting date and click on minutes. To hear the audio recording, click on the Real Player icon. Note: You must have Real Player to listen to the audio recording.

### **COMMITTEE MEMBERS PRESENT**

Sen. John Brueggeman (by teleconference)  
Rep. Llew Jones

Susan Fox, Chairperson

Scott Seacat  
Clayton Schenck  
Dick Clark  
Marilyn Miller (by teleconference)

### **COMMITTEE MEMBERS EXCUSED**

Clay Scott

### **STAFF PRESENT**

Hank Trenk, Director OLIT, LSD  
Karen Berger, Finance Services Manager  
Steve Eller, Computer Systems Section Manager  
Darrin McLean, IT Architect and Engineering Section Manager  
Tori Hunthausen, Deputy Director, Legislative Audit Division  
Dale Gow, Security Officer  
Fong Hom, Committee Secretary

## VISITORS

Visitors' list, Attachment #1.

## COMMITTEE ACTION

The Computer Systems Planning Council adopted the Business Case Analysis guidelines.

## CALL TO ORDER AND ROLL CALL

00:00:01 Susan Fox, Chair, called the meeting to order at 9:02 a.m. The committee secretary took roll visually. The minutes from the March 24, 2008 meeting were adopted as printed.

## IT Projects and Budget Initiatives (Action Item) - Hank Trenk, Director, Office of Legislative Information Technology

00:01:28 Mr. Trenk talked about the document "Potential Branch IT Projects/Initiatives" (**Exhibit 1**) that was in the meeting packet:

- Maintain the Operational Status of the existing Computer Environment. He discussed whether going to Microsoft's VISTA operating system was a good step or not and the problems with staying with the XP system that the Branch is currently using. Mr. Trenk said that they will do more research on that issue and have a presentation at the next meeting.

### Questions

Scott Seacat, Legislative Auditor, asked if Dick Clark knew where the Executive Branch was headed. Mr. Clark said that they want to stay on XP as long as they can. They will take a look at the first Service Pack (SP) and see how that is going before they move forward. Microsoft has the next operating system on the drawing board, which is 2007, and they are talking about that being where everybody lands. Mr. Seacat asked what Mr. Clark is going to ask for in the budget process because the decisions that this committee will make at the June 23rd meeting will affect the Branch's computer operating system four years from now. Mr. Clark said he doesn't really know and he has to make some determinations soon of what they are going to do strategy-wise.

Darrin MacLean, IT Architect and Engineering Manager, said that once Microsoft releases SP3, they will have to guarantee that they will support that for six years.

- Maintenance/Support to existing systems - contracted services. Mr. Trenk said that the contracted services is to supplement IT staff for the session and other work that may pop up during the interim.
- Security and Disaster Recovery Implementation Issues. Mr. Trenk said that

they are working with the security officer, Dale Gow, to see what is needed.

- Obsolescence Issues. Mr. Trenk talked about Near Term items: the vendor that supports MBARS; computer systems that use WordPerfect for the bill drafting, enrolling, engrossing, journal, committee minutes processes; computer systems that use TextDBMS for the code update processes. He also talked about Long Term items: computer systems that use Lotus approach.
- Audio recording of committee meetings. Mr. Trenk talked about audio and video streaming committee meetings. He said that the plan for the 2009 session is to video stream the House and Senate floor sessions on the internet and do more committee meetings next time. There's a concern about the long term file format that they are using to store committee minutes.
- Software/hardware/systems to help legislators. Mr. Trenk said that he added potential options in this item to help legislators.
- Full time employees. Mr. Trenk talked about full time employees for LFD support and TVMT management.
- Interface to Enterprise Systems. Mr. Trenk said that that was something that was put in the last budget.
- Document business processes and systems for LFD. Mr. Trenk said that Clayton Schenck wanted this on the list so that he can begin to get some of his processes and systems documented.

#### Discussion on IT Projects and Budget Initiatives

00:26:53 There was a discussion on TVMT being an Executive Branch function because of the delivery of that service to the citizens of Montana rather than a Legislative Branch function. Ms. Fox said that that it is a Legislative committee's initiative and it is clear that they cannot do it without the Executive Branch because of the streaming requirements and the contracts with various entities.

00:35:33 Clayton Schenck, Legislative Fiscal Analyst, said that the reserve account was created for emergent items that are not anticipated. He said that when we budget for MBARS or any of these things, we should be budgeting the normal way and not counting on the reserves. The committee talked about bandwidth and the ability to broadcast out to state agencies and to people inside the capitol building through the internet pipe, which we pay on per usage to VisionNet.

00:40:30 Dick Clark, Chief Information Officer, Department of Administration, talked about the Library of Congress having a demonstration project out of Minnesota dealing with legislatures and that Minnesota is running projects out of the Library of Congress: digital GIS archiving run by the state of North Carolina; dealing with state legislatures which comes out of Minnesota; and the regional archiving out of the state of Washington. It is on the Library of Congress website.

**Adequate Rules Discussion -- 2-17-518, MCA - Hank Trenk**

00:47:24 Mr. Trenk talked about section 2-17-518. Rulemaking authority (**Exhibit 2**) which was first discussed at the March 24th meeting. Mr. Seacat talked about having a branch policy manual that defines acceptable use of equipment, etc. Mr. Trenk said that a discussion was held regarding the inclusion of the Business Case Analysis and Architecture in the Plan and making those as appendices, and finalizing it to take to the Legislative Council for adoption.

**BREAK**

00:10:10 During the break, Marilyn Miller and Sen. Bruggeman joined the meeting via teleconference.

**IT Policy Discussion (Action Item)**

01:10:41 Mr. Trenk said that this discussion started when the security officer, Dale Gow, was working on a security policy. Mr. Gow asked Greg Petesch, Chief Legal Counsel, who would be responsible for adopting a security policy in the branch. Mr. Petesch said that it would be the Legislative Council. Susan Fox, Executive Director, LSD, also said that the security policy is IT-related.

01:11:35 Who Adopts IT Policy for the Branch - Greg Petesch, Chief Legal Counsel  
A copy of 2-17-518, MCA, was provided to the committee (**Exhibit 3**), which Mr. Petesch referred to in his discussion of who adopts the IT Policy for the branch. Mr. Petesch said that the Legislative Council is the entity that approves and adopts the Plan. The function of the Computer Systems Planning Council (CSPC) is to develop and maintain the Plan. The Legislative Council has the authority to make changes to the Plan under their statutorily prescribed authority for the Legislative Branch consolidated, which is all legislative entities other than the Consumer Council. He said that the Planning Council has the statutory duty to maintain the computer system plan and the IT Division of Legislative Council has authority over Information Technology Services, Branch Network support services, application, support and development, communications support and coordination, and information technology planning, and that function of the IT Division would have to be done under the plan developed by this Council and

then adopted by the Legislative Council. According to the statute, the final say lies with the Legislative Council.

#### Committee Discussion

01:14:24

There was a discussion that if one division in the Branch doesn't want to adopt that policy then the other two must accept that risk, which affects the way the Branch has been organized. Ms. Fox felt that the reason we have a security policy is that they are the tools for the business needs of the Branch.

Mr. Schenck said that the Legislative Branch has an Administrative Manual that is approved by the Council. He said that the Council has delegated to the three directors to keep that up-to-date with polices. He said that he doesn't see a problem with getting things done immediately and that there is a process in place to get things done.

Ms. Fox said that if the committee doesn't have the Computer System Plan adopted until the fall, the three directors could still do groundwork to make sure that the polices aren't getting in the way of the business needs and work to come up with a policy that everybody can live with and formalize it through the CSPC and the Legislative Council.

#### **Information Security Program and Information Security Program Charter - Dale Gow**

01:31:34

Mr. Gow gave a presentation on Legislative Branch Information Security Program (**Exhibit 4**) and the Information Security Program Charter (**Exhibit 5**).

#### Questions

Tori Hunthausen, Chief Deputy Legislative Auditor, said that she and Mr. Gow had a discussion on Provision No. 6, Enforcement and Exception Handling, on the way it is currently written. She said that they will work on the wording because the way it sits now with the acceptance being forwarded to the Council for final determination, they have business practices that that will not work. She said that they don't want this document being that it is a charter saying that the Legislative Council is considered a political influence. Mr. Gow said that he is only advising the CSPC and it is up to the Legislative Branch not the CSPC on how to deal with this issue. He said that he will help rewrite that provision but he will not make decisions as to what is right and what is wrong.

02:22:39

Karen Berger, Financial Services Manager, commented that in the discussions related to exception handling, she would be concerned that the Audit Division's notification of exception would become a risk to the other two divisions because they have no input into those exceptions. At some point she sees that as

becoming the weakest link in the security issues in the Branch. Ms. Hunthausen said that it doesn't affect the other divisions because the Audit Division is more apt to understand security vulnerabilities than the other two. That is why it is handled currently procedurally. Ms. Berger said that she is not talking about those types of exceptions, she is talking about exceptions to anything within a security policy, which is what this entails.

Mr. Seacat said that the Audit Division is not interested in exceptions. He said that he does not want to have to ask permission to use software that he needs to download. He feels that that in and of itself is a violation of the audit standards because then somebody would be placed in a position to tell the Audit Division that they can't have the tools to conduct business.

Ms. Fox said that the distinctions that are being made are important, but one is a business process. She asked rhetorically, how do you design procedures and processes so that we respect Audit Division's independence but maintain security to the network? Ms. Fox felt that members of the committee are not prepared to adopt the Charter and asked if there were areas in the document that the committee would like refined. She also suggested that more time be spent reviewing the document and then put it on the agenda for adoption at the next meeting.

Mr. Seacat said that the Audit Division cannot be in a position where someone outside the audit organization in the Executive or in the Legislative Branch tells them what they can and cannot do. He said that that policy needs to be revised.

Ms. Fox said that it is noted that the unique oddity of the legislative process needs to be respected.

02:33:18 Mr. Clayton talked about the frustration felt by people who are most impacted and felt that the branch does not have a good governance policy. He said that the whole issue about top down versus bottom up has not been established. He said that hiring a security officer should have been done a long time ago and he is satisfied with where they are going and that is moving towards the future. He said that the Security Charter which the committee is recommending that we look at is extremely important in terms of being the poster child of governance issues for this branch. Mr. Schenck said that he would like the three directors to meet and discuss IT governance in general.

#### **Business Case Analysis - Steve Eller, Computer System Manager, OLIT**

02:43:55 Mr. Eller discussed the Business Case Analysis guidelines (**Exhibit 6**) and the Business Case Analysis Overview (**Exhibit 7**).

### Questions

Rep. Pomnichowski asked Mr. Eller that when he talks about resource, does he mean planned and supported into the future? Mr. Eller said yes. Rep. Pomnichowski then asked how that is coordinated and how will he deal with more specific tasks; i.e., legislator laptops where you have some compatibility challenges and use challenges? Mr. Eller said that they would identify those challenges before they dive into it. Rep. Pomnichowski said that she looks at it as a push and pull from the BCA model from this IT group. How does that work? Mr. McLean said that when you bring your own laptops in, they are on a wireless network. If you are putting something on it, it is really independent of our network.

Ms. Berger said that the BCA process is a process that allows us to share across the branch. If a division comes forth with an idea or a proposal or a need for equipment that meets their BCA, then it is possible and more than likely that it will also meet something of some other division. It also gives us a chance to take a look at the architecture that has been approved for branch systems and whether or not we are able to fit this within that.

**Scott Seacat moved to adopt the Business Case Analysis guidelines. The motion passed unanimously.**

### **IT Architecture Presentation - Darrin McLean, IT Architect and Engineering Manager**

03:16:55 Mr. McLean talked about definitions and some things that they are going to do to build the IT Enterprise Architecture (**Exhibit 8**). He also discussed the Principles/Framework (**Exhibit 9**) for an IT Enterprise Architecture.

### Questions

Mr. Seacat said that they talked about data security and that data is protected from unauthorized use and disclosure. One of the things that the Audit Division gets involved in are court cases and subpoenas and testifying as a chain of evidence. Does the narrative behind this discussion about the security of confidentiality that are criminal related cases something that can be added? Mr. McLean said that at the present time, no, but they can sit down and discuss that. Mr. Seacat said that it is important because our policies regarding chain of custody will be questioned in court and that would be an important thing to include.

Mr. McLean said that this is just an overview and at the June meeting he will have some action items for IT Architecture to be looked at.

### **Table of Contents - Susan Fox**

03:34:47 Ms. Fox said that in the committee packet is a table of contents of a previous IT plan (**Exhibit 10**). They had contemplated adding appendices for some of these new policies. She told the committee that they don't have to make any decisions, but at some point she would like the committee to instruct staff as to what to put into the plan.

Public Comment

None at this time.

Other Business

The next meeting date is June 23, 2008. Ms. Fox said that on the agenda will be IT Projects and Budget Initiatives, numbers attached for the committee's consideration, work on the language for the Security Charter for review, and items regarding the IT Architecture for the committee's consideration.

Mr. Seacat asked if the architecture document is going to be incorporated as an appendix to the plan? Ms. Fox said that that is a possibility and as Mr. McLean alluded to in his presentation, the CSPC statute does talk about developing standards.

Adjournment

03:36:50 Ms. Fox adjourned the meeting at 12:39 p.m.

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