



Legislative Branch Computer System Planning Council

56th Montana Legislature

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HANK TRENK
TECHNOLOGY DIRECTOR, LSD

February 23, 2000

TO: Legislative Branch Computer System Planning Council

FROM: Bob Person, Chairman

RE: March 2nd Meeting

Enclosed are the materials for the March 2nd meeting. The meeting is in room 487 of the Federal Building, in Helena from 1:30 PM to 3:30 PM. The agenda is as follows:

1. Introductions.
2. Discussion of the Role of the Computer System Planning Council (Appendix A of Computer System Plan).
3. Report on IT Management Committee, ITAC and ITMC.
4. Report from the Branch Technical Planning Group on implementation of the current Branch Plan (Page 27 of the Computer System Plan).
5. Review list of possible Computer Projects/Initiatives for next Biennium (Attached).
6. Legislator access to State computers and communications.
 - E-Mail for Legislators
 - Computers for Legislators
7. Remodeling the Capitol Building and its affect on IT.
 - Kiosks
 - New network jacks to every desk on the floor and every office
 - Wireless network
8. How should the Legislature set policy to govern use of state owned IT equipment by Legislators (See attached issue summary)?
9. Schedule next meeting dates.
10. Adjourn.

Please let me know if you are unable to attend.

cc: Technical Planning Group
Pam Joehler, LFD
Greg DeWitt, LFD
Audrey Hinman, ISD

lbcspc31.wpd

**Potential Branch IT Projects/Initiative
FY 2002 - 2003**

February 9, 2000

1. Convert LAWS to WP 9 and/or investigate use of Word for LAWS
2. Convert Desktop to New OS
3. Web Administrator
4. NT Server & Support
5. Rewrite Code/Annos Update Process
6. LAD SABHRS Enhancements
7. Internet Broadcast of Session Activities
8. LAWS Maintenance/Support
9. FTE for Network Services
10. LFD Interface to Executive Branch Systems
11. GIS for Staff

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February 16, 2000

Legislative Branch governance structure for setting policy on Legislator use of state owned IT equipment.

Why is a policy needed? Section 2-2-121 (1) MCA states that "A public officer or a public employee may not: (a) use public time, facilities, equipment, supplies, personnel, or funds for the officer's or employee's private business purposes." Section 2-2-121 (3) MCA states that "A public officer or public employee may not use public time, facilities, equipment, supplies, personnel, or funds for any campaign activity persuading or affecting a political decision unless the use is: (a) authorized by law; or (b) properly incidental to another activity required or authorized by law, such as the function of an elected public official, the official's staff, or the legislative staff in the normal course of duties." Section 2-2-121 (8) MCA states that "A person who purposely or knowingly violates this section is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$50 or more than \$1000, by imprisonment in the county jail for not more than 6 months, or by both."

While this issue is already a concern, if the Legislature decides to purchase laptop PCs for legislators, there will be an ever greater tendency on the part of the individual legislator to consider the laptop PC as their own PC for their own personal use. A policy is needed to make Legislators aware of the proper use of state owned equipment and to prevent embarrassment to the Legislative institution if violations do occur. As more technology is applied to the individual legislator, more policy will be needed. An internal body of the legislature needs to be setup which can monitor and set policy on an ongoing basis, and can rule on questions of appropriate use.

Does the Legislature already have a structure in place which could be used to set and maintain the needed policy?

Title 5, chapter 11, part 4 of the MCA sets up a Computer System Planning Council within the Legislative Branch. The purpose of the Computer System Planning Council is to develop a biennial Computer System Plan for the Branch. The membership of the Computer System Planning Council consist of mainly legislative staff.

Using the Computer System Planning Council to set policy for Legislators goes against the original purpose of the Council. Also it seems more appropriate that Legislators should set policy to govern themselves rather than legislative staff.

No other specific governance structure is set up within the Legislature for setting policy regarding use of state owned IT equipment by Legislators.

Options for setting up a Committee of the Legislature to set the needed policy.

Legislative Administration Committee in each House.

Pros

- Is an established committee of both House and Senate and is already accustomed to dealing with administrative issues.

Cons

- During session it is difficult to schedule a meeting which fits into everyone's schedule.
- Committee members are not accustomed to dealing with IT issues.
- A joint committee is needed so that identical policy can be set for both House and Senate.
- Is not accustomed to dealing with IT issues

Joint Legislative Administration Committee

Pros

- Is an established Joint Committee of both Houses.

Cons

- Has not met very often in the past.
- Even more difficult to schedule a meeting than with individual House or Senate Legislative Administration Committee.
- Is not accustomed to dealing with IT issues.

Joint Rules Committee

Pros

- Is an established Joint committee of both Houses.
- Is accustomed to dealing with ethical issues.

Cons

- Is not accustomed to dealing with IT issues.
- Does not meet often.

Establish Specific Joint Committee of the Legislature for this purpose.

Pros

- Would establish a committee with members that are interested in IT issues.
- Would be a Joint committee.

Cons

- Another committee of the legislature to find membership for and to provide administrative support to.

Legislative Council**Pros**

- Is an established joint committee of the Legislature with the House and Senate Leadership on it.
- Has conducted meetings during a Legislative Session and during the interim.
- Is accustomed to setting policy.

Cons

- May not be accepted as a session oriented decision making body.
- Is not accustomed to adjudicating disputes.

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